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## **Federal Decree-Law No. (39) of 2022 on Compulsory Education**

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

Having reviewed the Constitution,

And Federal Law No. (1) of 1972 concerning the Competencies of Ministries and the Powers of Ministers, and its amendments,

And Federal Law No. (11) of 1972 on Compulsory Education,

And Federal Law No. (17) of 1972 on Nationality and Passports, and its amendments,

And Federal Law No. (35) of 1992 promulgating the Code of Criminal Procedure, and its amendments,

And Federal Law No. (29) of 2006 concerning the Rights of Persons with Disabilities, and its amendments,

And Federal Law No. (3) of 2016 concerning Child Rights "Wadeema",

And Federal Decree-Law No. (15) of 2016 on the Establishment of the Emirates Schools Establishment,

And Federal Decree-Law (18) of 2020 on Private Education,

And Federal Decree-Law No. (31) of 2021 promulgating the Law on Crimes and Penalties,

And based on the proposal of the Minister of Education and the approval of the Cabinet,

We have issued the following Decree-Law:

### **Article (1)**

#### **Definitions**

In the application of the provisions of this Decree-Law, the following words and phrases shall have the meanings assigned to each of them, unless the context of the text indicates otherwise:

**The State:** The United Arab Emirates.

**The Ministry:** The Ministry of Education.

**The Minister:** The Minister of Education.

**Educational Authorities:** Federal or local government bodies, as the case may be, concerned with education affairs in the State.

**Child:** Every human being born alive who has not completed eighteen (18) years of age.

**The Child's Guardian:** The person legally responsible for the child, or to whom the child's care is entrusted by a court order.

**Citizen:** Anyone who holds the nationality of the State in accordance with Federal Law No. (17) of 1972 on Nationality and Passports and its amendments, or any other law that replaces it.

**Resident:** Anyone who holds a valid residency on the territory of the State in accordance with the legislation in force in this regard.

## **Article (2)**

### **Scope of Application of the Decree-Law**

The provisions of this Decree-Law shall apply to the guardians of children in the State.

## **Article (3)**

### **The Right to Education**

1. Education is a right for every citizen or those treated as citizens of the State in the education sector by virtue of a decision issued by the President of the State, and the State provides it free of charge at all stages within the State.
2. Education is a right for every resident in the State, and the guardian of a resident child must enroll them in primary education, in accordance with the regulations approved in this regard by the Ministry after coordination with the educational authorities.

## **Article (4)**

### **Compulsory Nature of Education**

1. Education for citizens shall be compulsory from the primary stage until the end of school education, and it shall be compulsory for non-citizens until the end of the primary stage.
2. The Executive Regulation of this Decree-Law shall determine the educational system for all stages of school education, its types and academic levels, and the necessary regulations for the child's enrollment and transition from one stage to another.
3. The obligation for education falls on the child's guardian.

## **Article (5)**

### **Obligations of the Child's Guardian**

The child's guardian shall be committed to the following:

1. Enrolling the child in education as soon as they reach the prescribed age, at the beginning of the academic year, and ensuring their continuation and regular attendance at school.
2. Providing the valid supporting documents required for the child's enrollment in school education institutions.
3. Following up on the child's academic achievement and behavioral performance, and contributing positively to raising the level of educational outcomes.
4. Involving the child with disabilities "People of Determination" in school education, in accordance with the assessment and diagnosis report of the child's condition issued by the concerned authority, and following up on the implementation of the educational plan and the child's academic performance.
5. Any other obligations determined by a decision from the Minister in coordination with the educational authorities.

## **Article (6)**

### **Cases of Exemption from Enrolling in Education**

1. The child's guardian is exempted from enrolling the child in education if any of the following cases occur:

- a. The child suffers from an illness or disability that prevents them from studying, provided that this is proven by a medical report approved by a licensed health facility in the State, and in accordance with the regulations determined by the Ministry or the educational authority.
- b. A circumstance affecting the child or the child's guardian that prevents the child's enrollment in or completion of education.
- c. The child's enrollment is terminated by any educational institution.
- d. Any other cases determined by a decision from the Minister in coordination with the educational authorities.

2. The Executive Regulation of this Decree-Law shall determine the exemption regulations related to paragraphs (b) and (c) of clause (1) of this Article.

3. The exemption referred to in clause (1) of this Article shall be by a decision of the Minister, and the exemption shall remain in effect for the duration of its cause. If the cause ceases to exist, the child's guardian must automatically enroll the child in education.

## **Article (7)**

### **Violations and Penalties**

1. If the child's guardian fails to enroll the child in school education or does not adhere to the compulsory education period, in accordance with the text of Article (4) of this Decree-Law, the Ministry or the educational authority, as the case may be, shall issue a written warning within (5) five working days from the date the failure to enroll the child or non-compliance with the period is confirmed.

2. In the event that the violation stipulated in clause (1) of this Article continues for a period exceeding (10) ten working days from the date of

the written warning, the Ministry or the educational authority, as the case may be, shall notify the Public Prosecution.

3. The educational authorities must notify the Ministry of the violations they impose on the child's guardian, each within its jurisdiction.

## **Article (8)**

### **Punishments**

1. The child's guardian who, after being warned, fails to enroll the child in education in accordance with the provision of Article (7) of this Decree-Law, shall be punished with imprisonment and a fine of not less than (2,000) two thousand dirhams and not more than (50,000) fifty thousand dirhams, or one of these two penalties.

2. Without prejudice to the provision of clause (1) of this Article, the competent court shall compel the child's guardian to enroll the child in education within the period it determines.

3. The fine stipulated in clause (1) of this Article shall be doubled if the child's guardian fails to enroll the child within the period specified by the competent court.

## **Article (9)**

### **Executive Regulation**

The Cabinet, based on the proposal of the Minister and after coordination with the educational authorities, shall issue the Executive Regulation of this Decree-Law.

## **Article (10)**

### **Repeals**

1. Federal Law No. (11) of 1972 on Compulsory Education is hereby repealed, and any provision that contradicts or conflicts with the provisions of this Decree-Law is also repealed.

2. The regulations and decisions issued before the implementation of the provisions of this Decree-Law shall continue to be in force, to the extent

that they do not conflict with its provisions, until the Executive Regulation of this Decree-Law and the decisions that replace them are issued.

## **Article (11)**

### **Publication and Entry into Force of the Decree-Law**

This Decree-Law shall be published in the Official Gazette and shall enter into force as of January 2, 2023.

Mohamed bin Zayed Al Nahyan

President of the United Arab Emirates

Issued by us at the Presidential Palace - Abu Dhabi:

Dated: 7 / Rabi' Al-Awwal / 1444 H

Corresponding to: 3 / October / 2022 G

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### **Related Legislations**

Ministry of Education Decision No. (262) of 2020 concerning the Student Conduct Management Regulation - Distance Learning in Public Education Institutions

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