

Guidance Note – Re-Instatement of a Dormant Licence

In this guidance note, unless the context otherwise requires, words or expressions not defined have the same meaning and interpretation as in the Company Regulations 2020 of the Dubai Multi Commodities Centre Authority (“**CR 2020**”).

I. GENERAL

Applicable Business Rules

- This process is only applicable to those Companies whose licence has been put into dormancy for a certain period.
- The application can be submitted online any time prior to the expiration of the approved dormancy period.
- In case the Company has multiple licences put into dormancy and wish to re-instate all, Company should submit one application for re-instatement per licence.
- In case Company has multiple licences put into dormancy and wish to re-instate only one, Company should submit an application for re-instatement of that licence and when that licence is re-instated, proceed to submit an application for voluntary termination of the other licences.
- A Manager needs to be appointed during the process of re-instatement. The Company can appoint the previous manager or it can appoint a new manager.
- The Licence, which is re-instated, will have the same Licence number and retains the history of the Licence but it shall come with a remark that this Licence has been in dormant state for a certain period.
- Since Company will operate from a new address (physical space or retail shop), then, the fit-out for the new premises must be completed.
- The Company must ensure that their licence activity/activities can be carried out in the new/existing property type. Such as a retail activity cannot be carried out from an office or flexi desk.
- Some activities (Single-family office, real estate, DGCX) are standalone activities and cannot be carried out with any other activities even if they fall under same licence category.
- Maximum three (3) licences can be in one flexi desk.
- DMCC members operating from a physical office can hold more than one licence under the same unit.
- The company needs to make sure they have [Subscribed and activated the e-signature](#) of all authorized signatories.
- All Draft SRs will automatically be voided after sixty (60) calendar days from their creation date if no action is taken by the DMCC Member.
- SRs awaiting DMCC Member Company action will be automatically nullified if the required actions aren't completed within ninety (90) calendar days from the SR's return date.
- DMCC Member Company admin can request for service cancellation by clicking the 'Cancel Request' button.
- A cancellation fee of will be charged to the DMCC Member's portal if the Member opts for its cancellation, or if the system auto-cancels the SR after the 90-day period.
- Please [refer](#) to (schedule of charges) for cancellation fees.

II. APPLICATION PROCESS

To apply for this service, client should raise service request (**SR 223**) for Licence Reinstatement (Dormant Company) will have to be raised by the Company through its portal account.

| Process Owner | Action | Comments |
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| Company | <p>Company to apply for the related service and do the following in the online portal:</p> <ul style="list-style-type: none">• Provide the required information in the SR.• Choose the licence to be re-instated.• Specify the new Company address.• Provide the information of the new Manager.• Select Power of Attorney (POA) (if applicable)• Upload the required documents (Please see table below for list of requirements).• Confirm payment.• Submit the service request | <ul style="list-style-type: none">• Submit the SR.• A notification submission will be received by the client. |

| Process Owner | Action | Comments |
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| DMCC | <p>Relevant DMCC Officers will verify the application by doing the following:</p> <ul style="list-style-type: none"> • Check information provided by the client and verify all the uploaded documents. • Approves or Declines the application. | <p>Please note that the SR could be returned to you in case of the below scenarios:</p> <ol style="list-style-type: none"> a. To submit additional information or to re-upload a document. b. E-Signature is not activated for the authorized e-signatories or the POA holder (if applicable). <p>To proceed with the SR, you should comply with the requirements by following the instructions you receive from DMCC.</p> <p>If Approved You will be instructed on the next steps.</p> |
| Company | <ol style="list-style-type: none"> 1. All authorized signatories to E-Sign the document 2. Book an appointment through the DMCC Member Portal for submitting original sets of documents, (if applicable) | - |

| Process Owner | Action | Comments |
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| DMCC | <ol style="list-style-type: none"> 1. Verify e-signatures and original documents 2. Update the step and the account will be updated with the new details. 3. New documents will be generated electronically in DMCC Member Portal | <ul style="list-style-type: none"> • Appointed Manager is registered. • Notification of SR closure will be sent to the client. • New Licence to be issued. • Registry Extract to be issued |

III. REQUIRED DOCUMENTS

| Documents | Remarks |
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| Shareholder Resolution | <ul style="list-style-type: none"> • Only applicable in case of individual shareholder(s). <i>Please disregard this requirement if this is not the case.</i> • To be electronically signed by all shareholders or their authorized representatives after the application is approved. • Resolution should confirm the Licence to be reinstated and the details of the new appointed Manager. |
| Board Resolution of corporate Shareholder | <ul style="list-style-type: none"> • Only applicable if one of the existing shareholders of the DMCC Company is a corporate shareholder. <i>Please disregard this requirement if this is not the case.</i> • To be electronically signed by the authorized signatory after the application is approved by DMCCA. • Resolution should confirm the Licence to be reinstated and the details of the new appointed Manager. |

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| <p>Certificate of Incumbency (of the corporate Shareholder)</p> | <ul style="list-style-type: none"> • Only applicable if the DMCC Company has a corporate Shareholder. <i>Please disregard this requirement if this is not the case.</i> • Certificate of Incumbency must be recently issued (not more than 1 year). Certificate of Incumbency must be notarized and legalized by UAE Embassy of the place of issue of the document. <p>Note: If the certificate of incumbency details verification is publicly available through online registry from the respective issuing Authority official website. In such cases, please provide the link for verification. (If the online verification is approved, the notarization would not be required).</p> |
| <p>Joint Resolution</p> | <ul style="list-style-type: none"> • Only applicable for Joint Venture companies. <i>Please disregard this requirement if this is not the case.</i> • To be electronically signed by all Shareholders or their authorized representatives after the application is approved. • To be submitted along with other required Resolution(s) from each of the Corporate Shareholder. |
| <p>Power of Attorney</p> | <p><i>Please disregard this requirement if there is no POA issued.</i></p> <ul style="list-style-type: none"> • If issued in UAE, validity to be checked in the Dubai Court portal. • If issued outside of UAE: <ol style="list-style-type: none"> a. To be notarized and legalized by the UAE Embassy of the place of issue. b. Original POA required to be presented for verification. • To specifically provide authority to appoint or remove an Officer of the DMCC Entity. • Original passport of the POA holder to be presented for verification. |

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| <p>A. For Leased Property:</p> <ol style="list-style-type: none"> 1. A valid Ejari Certificate covering the licence validity period as a minimum. <p>Or</p> <ol style="list-style-type: none"> 2. Tenancy Contract and Title Deed from the Land Department or a current dated Certificate of Ownership from the tower developer or Owner Association Management. This is required for (Non-DMCC Business Centers, common areas, plots, subleases for approved shared units, and Tea Trading Centre) <p>Or</p> <ol style="list-style-type: none"> 3. DMCC Flexi Desk contract <p>B. For Owned Property:</p> <ol style="list-style-type: none"> 1. Title Deed from the Land Department; or 2. A current dated Certificate of Ownership from the tower developer or | <p>Tenancy Contract requirements:</p> <ul style="list-style-type: none"> • To state the exact company name as per the licence. • Should mention the full unit details (unit number, tower name, & area size) & lease details (start date, expiry date & rent amount) • If the property is a joint purchase, all owners' names & signatures are required on the lease agreement. • If the lease agreement is signed by a Power of Attorney (POA) holder on behalf of the Landlord or the DMCC Company, then, a copy of the POA document & POA holder passport showing the signature are required. <p>For Owned Property, property should be under the DMCC Company Name.</p> |
| <p>A valid Annual Operation Fitness Certificate (AOFC) for Offices or Retail Annual Operation Fitness Certificate (RAOFC) for Retails.</p> | <p>To be obtained from Concordia for offices. To be obtained from Socotec for retail activities and industrial license.</p> |
| <p>No Objection Certificate from Regulatory Authority</p> | <p>For licenses with regulated activities, a No Objection Certificate (NOC) issued by the relevant regulatory authority is required</p> |

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| Questionnaire | Applicable to certain licence activities only. |
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Documents for the new Manager

| Documents of the new Manager | Remarks |
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| Passport and visa page (if applicable) | <ul style="list-style-type: none">• Should be valid for at least 6 months.• Copy of valid UAE residence visa page (if applicable)• Original to be presented for verification. |
| Specimen Signature Form | <ul style="list-style-type: none">• To be electronically signed after SR approval• POA holder cannot sign specimen signature. |
| KYC Form | <ul style="list-style-type: none">• Filled-out comprehensively including business experience part and signed by the new shareholder.• POA cannot sign this form. |
| Proof of Address | <ul style="list-style-type: none">• Any proof of billing, tenancy contract, etc. under the name of the new shareholder at the discretion of DMCC.• OR a proof of billing under the name of a relative/friend/landlord + an NOC confirming that the new officer lives on the address on the bill + passport copy of the bill holder with signature page• Dated recently (Not more than 6 months). |

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| NOC from Sponsor | <ul style="list-style-type: none">• Applicable only if the new Officer is holding a valid UAE visa from another Company and the visa designation is not Managing Director, Partner or Investor.• Copy of the document is acceptable. |
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OUTPUT

The following documents will be issued when the process is completed:

- E-Licence
- Registry Extract