DIFC

CONSULTATION PAPER NO. 2

June 2026

Amended Arbitration Law
(DIFC Law No. 1 of 2008)

CONSULTATION PAPER NO. 2
PROPOSED AMENDMENT OF DIFC ARBITRATION LAW

Why are we issuing this Consultation Paper?

1. The Dubai International Financial Centre Authority ("**DIFCA**") invites public comment on proposed amendments to the Arbitration Law (DIFC Law No. 1 of 2008) (the "**Arbitration Law**").

2. The proposed amendments will be enacted through the Arbitration and Mediation Law, DIFC Law No. 1 of 2026 (the "**Proposed Amendments**").

Who should read this Consultation Paper?

3. The Proposed Amendments will be of particular interest to DIFC legal practitioners, arbitrators and other professionals engaged in work relating to arbitration, as well as all individuals and organisations who select the DIFC as the seat of the arbitration.

4. DIFCA invites interested parties to provide their views and comments on the Proposed Amendments, using the table of comments provided at Annexure B.

How to provide comments

5. All comments should be provided to the person specified below:

Jacques Visser
Chief Legal Officer
DIFC Authority
Level 14, The Gate, P. O. Box 74777
Dubai, United Arab Emirates
or e-mailed to: consultation@difc.ae

6. You may choose to identify the organisation you represent in your comments.

7. DIFCA reserves the right to publish, on its website or elsewhere, any comments you provide, unless you expressly request otherwise at the time the comments are made.

What happens next?

8. The deadline for providing comments on the proposals in this Consultation Paper is 10 July 2026.

9. DIFCA will then review the feedback and consider if any changes are required to the

Proposed Amendments. Once DIFCA considers the Proposed Amendments to be in a suitable form, the Proposed Amendments will be enacted, to come in to force on a date specified and published.

10. The Proposed Amendments are in draft form only. You should not rely on the Proposed Amendments until they are formally enacted. We will issue a notice on our website when this happens.

Defined terms

11. Various terms are expressly defined in this Consultation Paper and in the Proposed Amendments. Those defined terms are identified throughout this paper and its annexures by the capitalisation of the initial letter of a word or of each word in a phrase. Unless the context otherwise requires, where capitalisation of the initial letter is not used, the expression has its natural meaning.

Explanation of proposed legislation

12. The Arbitration Law was drafted in 2008 and has not been significantly amended since then. The decision in 2008 was to substantially adopt the *UNCITRAL Model Law on International Commercial Arbitration (1985), with amendments as adopted in 2006* (the "**Model Law**") in order to gain the arbitral community's confidence in the DIFC's adherence to international norms.

13. The Arbitration Law has served the DIFC well for the last 18 years but arbitral practice has advanced significantly in that time. The Proposed Amendments seek to modernise the Arbitration Law and ensure that it continues to represent best practice, in keeping with the DIFC's status as a progressive international financial centre and pro-arbitration jurisdiction.

14. To that end, a comparative analysis has been conducted against: (1) current arbitration rules from leading arbitral institutions such as the LCIA, the ICC and DIAC; and (2) the arbitration statutes of other leading common law jurisdictions, such as England & Wales, Australia, Singapore, and Hong Kong. Consideration has also been given to the *UAE Federal Arbitration Law, Federal Law No. (6) of 2018* (the "**FAL**") and the *ADGM Arbitration Regulations 2015* (the "**ADGM Regulations**").

15. **Annexure B** to this Consultation Paper is a table of comments, setting out: (1) the text of the Proposed Amendments; (2) the rationale behind each Proposed Amendment; and (3) space to provide responders' comments.

16. A new Part 5 on Mediation has been proposed for inclusion in the Arbitration Law (such that

it would become the Arbitration and Mediation Law). DIFCA invites comment on both the substance of Part 5 on Mediation, and also whether it should instead be contained in a separate Law, to be enacted at the same time as the Proposed Amendments regarding Arbitration.

Legislative proposal

17. This legislative proposal contains the following:

(a) **Annexure A**: a draft of the amended Arbitration Law, with the Proposed Amendments shown in track changes.

(b) **Annexure B**: the table of comments referred to in paragraph 15 above. There is space included at the end of the comment table where you can set out any other issues which were not included in the Proposed Amendments and which you think would warrant attention..