

Operating as an education provider in the UAE

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The regulatory landscape of the UAE's education sector includes multiple government agencies, both at the federal and Emirate levels. The extent of involvement of each agency depends on a number of factors. These factors include: whether the objective is to establish a Higher Education Institution (HEI) (university/college that confers academic degrees) or a training centre (that provides short term non-academic courses and/or vocational and technical courses), the Emirates in which the institution will operate from and whether it is based in the 'mainland' or in a free zone.

Regulating the educators: who's who?

Ministry of Education

The **Ministry of Education (MOE)** is responsible for overall policy in relation to higher education and research - including the establishment of federal government-backed institutions - for the UAE as a whole.

The Commission for Academic Accreditation

The actual licensing and accreditation of institutions of higher education (and their programmes) is the responsibility of the **Commission for Academic Accreditation (CAA)**, which is part of the MOE. The CAA seeks the attainment of international standards within the higher education sector and is a member of the International Network for Accreditation.

Knowledge and Human Development Authority

Since 2006, the **Knowledge and Human Development Authority (KHDA)** has taken over some activities that had previously been carried out in the Emirate of Dubai by the MOE. The MOE and the CAA remain the principal overseers of and providers of accreditation of institutions in 'mainland' Dubai. However, since 2011, the KHDA is the authority that is primarily responsible for regulation of institutions that are operating in Dubai free zones - including the Dubai International Financial Centre (DIFC). Institutions that are operating in a free zone will also need to apply to the CAA if they wish to be accredited in 'mainland' Dubai.

Abu Dhabi Department of Education and Knowledge

Although the MOE and the CAA remain the main regulators of the higher education sector in the Emirate of Abu Dhabi, which is true for both institutions that are based in 'mainland' Abu Dhabi and those that operate from free zones, the **Abu Dhabi Department of Education and Knowledge (ADEK)**, which was established in 2018, is responsible for licensing all private educational bodies, and monitoring their obligations to provide the highest quality of services as well as controlling and overseeing institutions with

respect to, inter alia, budget disbursements, revenue and approving their strategic and operational plans.

Abu Dhabi Centre for Technical and Vocational Education and Training

The **Abu Dhabi Centre for Technical and Vocational Education and Training (ACTVET)** regulates technical and vocational educational institutions in the Emirate of Abu Dhabi and is also responsible for the licensing of trainers and tutors.

Required licences and permits

The UAE government actively supports the development of education sector, but at the same time carefully monitors compliance with national quality standards. Accordingly, an entity interested in providing services in the UAE in the field of education is required to obtain the requisite educational licences and permits from the relevant regulatory body(ies) before it can start its educational business activity.

In addition to the educational licences/permits, for an education provider to either operate in the UAE 'mainland' or in a free zone, it is mandatory to obtain a commercial licence from the Department of Economic Development (DED) of the relevant emirate (for operating in 'mainland') or from the relevant free zone authority as the case may be.

Additional approvals may also be required from the relevant Emirate's Municipality, Department of Civil Defence and Health Authority.

Advertising educational services

As per the applicable rules and regulations, all education providers in the UAE must obtain written approval from the relevant regulatory body(ies) before they can advertise their education business in the UAE. UAE law interprets advertising broadly. Accordingly, education providers deploying social media as part of a planned marketing campaign are also required to share their social media plans to relevant educational authority for approval. For instance, advertising by HEIs and training centres located in Dubai free zones is overseen mainly by the KHDA. In the Emirate of Abu Dhabi, ACTVET is the regulatory body which provides the requisite approvals for advertising vocational and training courses.

The way forward - online education in the UAE

Prior to March 2020, the general position of the MOE was that HEIs and vocational education and training institutes could only use distance (or online) learning for up to 50 per cent of their teaching and the conventional on-campus teaching was preferred at all times. This rule was relaxed in that month, as the MOE responded to the Covid-19 pandemic, allowing all schools and universities to continue their services effectively by adapting to a new mechanism facilitating distance learning. It is now predicted that, the new educational model provided to students to not go back to the conventional approach in the near future. Instead, the experts believe that educational system will follow a new "hybrid" path, combining the conventional on-campus education with digital learning tools. Accordingly, it is now likely that the education regulators may publish new guidelines in relation to distance learning in the foreseeable future.

Training institutions on the other hand, are and were allowed to offer short-term training courses entirely

through distance learning; provided that they have obtained the requisite approvals from the relevant regulators. Such approvals are however, decided on a case by case basis depending on the nature of courses that they provide and some other elements.

For further information on how to obtain the relevant commercial and educational licences and permits, advice on the best suitable business models and on the forthcoming changes to the regulations governing the provision of distance learning in the UAE, contact [Nazanin Maghsoudlou](mailto:Nazanin.Maghsoudlou@tamimi.com) at n.maghsoudlou@tamimi.com and/or [Omer Khan](mailto:Omer.Khan@tamimi.com) at o.khan@tamimi.com.