

Cheated by online universities? Approach diplomatic missions



LEGAL VIEW

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I enrolled with an online university based in the US in 2012. I complied with all the requirements and subsequently received all necessary documents back from this university. Now, I feel the whole course may be a scam and the qualifications may not be recognised. What are the available legal options?

Pursuant to your queries, the onus lies upon you to first conduct a thorough check of the credentials of the university and complete a due diligence on whether their courses are recognised or not, before you enrol and pay the course fee. In the event the course you en-

rolled with this university is not recognised, you may consider taking up the matter with the relevant department of the US government and lodge a complaint with them. Further you may take it up with the Consul, Education at the Embassy or the Consulate of the United States of America, in the UAE.

Advertising through brochures
What is the law regarding marketing/advertising of services for a foreign company through brochures/handouts/leaflets in the UAE. Do you require a permit to do it?

The UAE has a well-regulated and simple process for advertising of services by a foreign company through brochures/handouts/leaflets, in the country. Permission must be obtained from the authority concerned before advertising in the UAE by a foreign company who may not have a legal entity here.

This is in accordance with Article 17 of the Federal Law No. 15 of 1980 regulating Publications and Publishing Law of 1980 (the 'Publication Law') which states: "No one is allowed to sell, or distribute publications on the main road or in any public place, even temporarily, un-

Know the law

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Further, Article 18 of the law states: "Anyone who wishes to sell or distribute publications shall register his name with the authority concerned at the ministry. The ministry shall issue a decision explaining the rules of registration."

In case of violations, legal action will be taken by the ministry or the National Media Council or the authority concerned.

You may consider setting up a branch or representative office of your company either in mainland or any free zones in the UAE. The copy of licence, copy of memorandum & articles of association, certificate of good standing, board resolution, and audited accounts of parent company should be legalised in the home country and later in the UAE to form a branch or representative office in the UAE. Further, a local services agent should be appointed if the branch or repre-

sentative office is to be incorporated in the mainland and the local agent services agreement should be notarized and submitted to economic department in the emirate where this branch or a representative office is to be established. In case of incorporating a branch or representative office of a foreign company in any of the free zone, local services agent is not required.

Article 327 of the Federal Law No. 2 of 2015 related to commercial companies law allows foreign companies to have a branch in the UAE. It states "subject to the special agreements made between the federal government or the local government or any entity of either of them and foreign companies, the provisions of this law, excluding the provisions concerning incorporation, shall apply to the foreign companies that conduct their activities in the state or their place of management is based in the state".

You may engage services of a law firm who could advise you further on this.

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Know the law

If you enrol in a course with a university which you later find is not recognised, the matter can be taken up with the relevant department of the US government and a complaint lodged with them. You can also report about it to the Consul, Education at the Embassy or the Consulate of the USA, in the UAE.

