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### Master Thesis Defense

#### Entitled

*ADMINISTRATION AUTHORITIES IN THE ADMINISTRATIVE CONTRACT*

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#### Abstract

This study aims to highlight the administration authorities in the administrative contract in the United Arab Emirates, and that is in the light of what has been decided on the jurisprudence and judiciary in the Arab Republic of Egypt and the applications of these authorities as stated by the legislator and the UAE judiciary. Initially, we started by the concept of administrative contract and its characteristics. Followed by reviewing the administrative authority in supervision, management, and guidance derived from the requirements of the public interest, which was decided by the UAE legislator through the phases of executing administrative contracts such as; receiving projects in addition to examining the materials before receiving them. Furthermore, the UAE judiciary has confirmed that this right is standing strong by the power of the law, and is connected with the general law of public interest and public benefit. Along with, demonstrating the constraints of this authority that operate as a guarantee for the contractor against management misusing it. Then we moved to discuss the management authority in adjusting the contract and its legal basis. Highlighting the confirmation of the UAE legislator on this right in its laws, through the right to adjust the contract quantities by increasing or decreasing of the same prices, and set a maximum rate of adjustment at 30% of the total amount agreed on. Plus, the UAE judiciary stressed that the contractor may not object on the adjustment, as there are regulations for the adjustment so that using this authority does not cause serious damage for the contractor, which would turn over the economics of the contract and financial imbalance then the contractor's right to adjust the prices. After that, we viewed the major forms of adjustments in the administrative contract, which are the following; the adjustment in the amount of obligations, the adjustment in the execution means and the adjustment in the execution duration. Next, the administrative authority in signing penalties, its legal basis and general characteristics, along with the administration's right to impose penalties even if it's not mentioned in the contract. After that, we explained the variety of penalties including financial such as; delay fine, and non- financial; most importantly contract termination. The UAE legislator forced the administration to mandatory terminate the contract in some cases like; fraud and forgery. This study also dealt with the administrative authority in terminating the administrative contract by the sole will without any error from the contractor. In addition to demonstrating the position of UAE legislator and judiciary regarding this authority, which the legislator confirmed this right without the need to provide for it. Along with stating the constraints of this authority and the contractor's right to claim compensation. Finally, reviewing the cases and reasons that the jurisprudence and judiciary took as subjects for this authority.

**Keywords:** Administrative contract, Authorities and administration rights, supervision and guidance, contract adjustment, signing penalties, contract termination.