

Cabinet Decision No. (3) of 2025
On the Thresholds Related to the Implementation of Federal Decree-Law No. (36) of
2023
Regulating Competition

The Cabinet,

- Pursuant to the perusal of the Constitution,
- Federal Law No. (1) of 1972 on the Competences of Ministries and the Powers of Ministers, and its amendments,
- Federal Decree-Law No. (36) of 2023 Regulating Competition,
- Cabinet Decision No. (13) of 2016 on the Ratios and Controls Related to the Implementation of Federal Law No. (4) of 2012 Regulating Competition,
- Based on the proposal of the Minister of Economy and the approval of the Cabinet,

Has issued the following:

Article (1)

Definitions

The definitions set forth in Federal Decree-Law No. (36) of 2023 Regulating Competition shall apply to this Decision. In addition, unless the context requires otherwise, the following words and phrases shall have the meanings assigned to each:

Decree-Law: Federal Decree-Law No. (36) of 2023 Regulating Competition.

Fiscal Year: The calendar year or a period of twelve (12) months for which the relevant establishments prepare financial statements to assess the Dominant Position or Economic Concentration in accordance with the provisions of this Decision.

Article (2)

Dominant Position

A dominant position, in accordance with Clause (A) of Item (2) of Article (6) of the Decree-Law, shall be deemed to exist when the market share of any establishment, whether independently or jointly with other establishments, exceeds forty percent (40%) of the total transactions in the Relevant Market.

Article (3)

Minimum Thresholds for Notification of Economic Concentration Operations

The provisions of Item (1) of Article (12) of the Decree-Law shall apply to Economic Concentration operations that meet any of the following thresholds:

1. Where the total annual sales value of the concerned establishments in the Relevant Market within the State exceeds three hundred million dirhams (AED 300,000,000) during the last Fiscal Year; or
2. Where the total market share of the concerned establishments exceeds forty percent (40%) of the total transactions in the Relevant Market within the State during the last Fiscal Year.

Article (4)

Executive Decisions

The Minister shall issue the necessary decisions for the implementation of this Decision.

Article (5)

Repeals

Cabinet Decision No. (13) of 2016 on the Ratios and Controls Related to the Implementation of Federal Law No. (4) of 2012 Regulating Competition is hereby repealed. Any provision that violates or conflicts with the provisions of this Decision shall also be revoked.

Article (6)

Publication and Enforcement

The present Decision shall be published in the Official Gazette to be entered into effect sixty (60) days from the day following the date of its publication.

**Mohammed bin Rashid Al Maktoum
Prime Minister**

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