

UAE Private Clarifications: Tax Technical Guidance Process

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To (inside your company): CFO • Head of Tax • Legal & Compliance • Tax Advisors • External Counsel

Executive takeaways

- Provides an official FTA clarification service for specific tax technical matters via the EmaraTax portal with a 60-business-day response timeframe.
- Comprehensive eligibility criteria require genuine tax uncertainty and supporting technical analysis with alternative treatments.
- A fee structure of AED 1,500 for single tax and AED 2,250 for multi-tax clarifications applies, with limited refund circumstances.
- Clarifications have an administrative binding effect on the FTA for materially same factual circumstances, with specific voiding conditions.

What changed & why it matters

- **Structured Technical Guidance** — This is a formal mechanism for obtaining official FTA positions on tax technical matters through stamped and signed clarifications. *Why it matters:* It provides legal certainty and audit protection for complex tax positions while establishing a clear administrative precedent for specific taxpayer circumstances.
- **Enhanced Eligibility Screening** — Detailed eligibility criteria distinguish between matters requiring clarification versus those covered by existing guidance or administrative processes. *Why it matters:* This ensures efficient use of the clarification service for genuine uncertainty while directing routine matters to appropriate alternative channels.
- **Comprehensive Documentation Requirements** — Mandatory submission of technical analysis, alternative treatments, supporting documents, and professional advice is required. *Why it matters:* This ensures high-quality submissions that enable meaningful FTA analysis while demonstrating taxpayer due diligence.

Action checklist

- Identify genuine tax technical uncertainties not addressed in existing FTA guides or public clarifications.
- Prepare a comprehensive technical analysis including relevant legislation, guidance considered, and alternative treatments.
- Compile supporting documentation including contracts, agreements, invoices, and any third-party tax advice received.
- Structure the cover letter following FTA recommendations: background, request, legislation considered, analysis, and alternatives.
- Budget for clarification fees and evaluate the cost-benefit against the tax uncertainty exposure.

Impact matrix

Compliance	H
Systems/ERP	L
Finance/Cash	M
Operations	M
Documentation	H
Training/Change	M

Timeline

- Preparation — technical analysis & documentation
- Submission — EmaraTax filing & payment
- FTA Review — validation & info requests
- Response — clarification within 60 Business Days

Take Away

The Private Clarifications service provides a formal mechanism for obtaining binding FTA guidance on genuine tax technical uncertainties. The enhanced eligibility criteria and documentation requirements ensure the service addresses legitimate technical questions. Companies should carefully evaluate the necessity for clarifications and use the service strategically for material tax positions where uncertainty poses significant compliance or financial risks.

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