

Law No. (3) of 2005
concerning the Regulation of Real Estate Registration
in the Emirate of Abu Dhabi

We, Khalifa bin Zayed Al Nahyan, Ruler of Abu Dhabi:

Having reviewed:

- Law No. (1) of 1974 concerning the reorganization of the Governmental Body in the Emirate of Abu Dhabi and its amendments;
- Law No. (2) of 1971 concerning the National Advisory Council, and its amendments;
- Law No. (11) of 1979 on registration of lands as amended by Law No. (5) of 1980.
- And acting upon what was presented to and approved by the Executive Council,

Issued the following Law:

Article (1)

In application of the provisions of this Law, the following terms and expressions shall have the meanings assigned thereto, unless the context requires otherwise:

Emirate	:	The Emirate of Abu Dhabi.
Competent authority	:	Department of municipalities and agriculture or any other municipality that may be established in the future in the Emirate.
Registrar	:	The manager of the Real Estate Registration Division at the competent entity.
Real property	:	All kinds of real estate properties, including lands, buildings, establishments, and real properties by allotment.
National's House	:	House allotted for nationals, for free, according to the regulations applicable in the Emirate.
Disposition	:	Any transaction that affects the existing rights on the real property, or entails new rights thereon,
Register	:	Real estate register established in accordance with the provisions of this Law.
Document	:	Any final ruling, order, contract, or document that must or may be registered in accordance with the provisions of this law

Article (2)

A division (Real Estate Registration Division) shall be established in each competent entity.

Article (3)

A (registrar) shall be designated for each Real Estate Registration Division to be directly responsible for it before the chairman of the competent entity or whoever he delegates and shall be assisted by a sufficient number of employees.

Article 4

The Real Estate Registration Division shall be concerned with the following:

1. Create and maintain a real estate register.
2. Record dispositions on real properties.
3. 3 – Notarize the signatures of the concerned parties on the documents required for registration.
4. Keep the original documents after completing the registration and producing copies thereof to whom it may concern.
5. Obtain title search certificates² in relation to a specific real property, according to what is stated in the register.

The Registrar may, in order to practise the aforementioned competencies, use the documents kept in the relevant entities.

Article (5)

Any original document or record kept with the registrar shall not be transferred unless by a competent court ruling.

Article (6)

All dispositions on real estates included under the provision of Article (10) of this Law that creates, transfers, or extinguishes one of the original or subordinate real rights shall be registered, and irrevocable final rulings proving any of these shall be also recorded in the register designated for this purpose at the competent authority within which jurisdiction the real property lies. Non-registration shall result in the non-establishment, non-transfer, non-extinguishment of all rights herein mentioned either between concerned parties or others.

This provision shall apply to lease contracts with a term over four years, and non-registered dispositions shall be inadmissible, and shall have no effect other than as personal obligations between the concerned parties.

Article (7)

Any person owning a right or usufruct benefit in the lease contract with a term of four years or less may submit a request to the registrar to mark that in the register.

² A certificate verifying any encumbrances on a plot of land or property unit, such as mortgage and registered contracts . It is known in the UAE as investigation or search certificate.

Article (8)

Every disposition mentioned in any document that the competent court orders to be registered shall be recorded in the register.

Article (9)

The real property or usufruct right shall be registered in the name of the heirs after submitting a decree of distribution, and an evidence of the title deed or usufruct.

Article (10)

- Except for industrial lands and lands leased from the competent authority, nationals may buy and sell residential, commercial, investment, and agricultural lands, and buildings set for a specific purpose and allotted to each of them, in addition to other dispositions, provided that the purpose for which the properties were designated shall not be changed.
- The public housing units shall be registered and conveyed to nationals to whom the said houses were or have been allotted. Nationals are prohibited from disposing them without the permission of the Executive Council. The national shall make a written pledge in all what was mentioned about the real estate property not to claim compensation for what he has disposed.

Article (11)

Dispositions related to registration of inheritance, as well as the first registration of the real property upon allotment shall be exempt from fees, and the fees prescribed in the schedule attached to this Law shall be applied to any post disposition to be registered. The fees may be amended upon a resolution from the chairman of the Executive Council.

Article (12)

In implementation of the provisions of this Law, the competent authority may share the information recorded in the register, in coordination with the concerned authorities.

Article (13)

All registers and documents established or maintained by virtue of Law No. (11) of 1979 and amended by Law No. (5) of 1980 shall be transferred to the registrar in the competent authority.

Article (14)

- Any disposition in violation of the provisions, regulations, and decisions implementing this law shall be deemed void.
- The head of the competent authority shall implement the decisions necessary for implementing the provisions of this Law.

Article (15)

Law No. (11) of 1979 on land registration amended by Law No. (5) of 1980, as well as any provision contrary to the provisions of this Law, shall be repealed.

Article (16)

This Law shall be published in the Official Gazette, and become effective from the date of its publication.