

**Law No. (19) of 2005
Concerning Real Estate Ownership**

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. (2) of 1994 concerning Tenancy of places and Organization of Landlord -Tenant relationship in the Emirate of Abu Dhabi and its amendments;
- Law No. (3) of 2005 concerning the regulation of the real estate registration in the Emirate of Abu Dhabi;
- Federal Law No. (5) of 1985 concerning the issuance of the Civil Transactions Law of the United Arab Emirates, and its amendments;
- Federal Law No. (10) of 1992 promulgating the Law of Evidence in Civil and Commercial Transactions
- Federal Law No. (11) of 1992 concerning the issuance of the Civil Procedures Law, and its amendments;
- Federal Law No. (18) of 1993 Concerning the Commercial Transactions Law;
- Emiri decree No. (33) of 1968 concerning the regulation of lease of land for building thereon;
- 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:

Government	The Government of Abu Dhabi
Emirate	The Emirate of Abu Dhabi.
Department	The Department of Municipal Affairs.
Concerned Municipality	The municipality of Abu Dhabi City, Al Ain City, or any municipality which may be established in the Emirate in the future.
Real Properties	Lands, buildings, establishments, and real estates by allocation.

Person	Any natural or juridical person
Investment zones	Zones designated by a resolution of the Executive Council
Original real right	The right of ownership
Rights derived from ownership right	Usufruct, use, residence, and Musataha rights (the decision)
Subordinate real rights	Mortgage, possessory lien, and right of preferential lien.
Disposition	Any transaction that affects the existing rights on the real estate or entails new rights thereon, including without limitation, the sale and purchase of real property, mortgage, usufruct, and Hawala (transfer) contracts related to any disposition of a real estate pursuant to the provisions of the Civil Transactions Law.
Usufruct right	A real right that grants its holder the right to use another's property and exploit the same as long as it is kept as is. Usufruct right may be waived to a third party.
Musataha right (Decision right)	A real right that grants its holder the right to set up construction or implantation on others' land.
Nationals	A natural person holding the nationality of the UAE pursuant to the applicable laws

Article (2)

Every real estate granted by the government to a national before or after the issuance of this law, shall be owned by the National and must register his ownership right thereto. The national shall also, within the bounds of the law, have the right to use, benefit from, and dispose it. The Abu Dhabi Executive Council shall lay down the rules for the transfer of ownership of the real estate allocated before the issuance of this Law.

Article (3)

- 1- The right to own real estate, according to the law, shall be limited to the UAE nationals and other legal persons fully owned by them.
- 2- Citizens of GCC countries may also own real estates, provided that the real estate is within the Investment Zones and shall have the right to carry out any disposition or entail any original or subordinate right on any of these real estates.

- 3- The executive regulations shall determine rules, regulations, and periods of Musataha contracts for real estate's outside Investment zones.

Article (4)

Non-UAE nationals shall have the right to own floors not the land in Investment Zones and shall entail any rights thereon. They shall have the right to usufruct and Musataha on real properties located within Investment Zones based on a long-term usufruct right (up to 99 years), or on a long-term Musataha right (up to 50 years) renewable for a similar period subject to the agreement of both parties; holders of Usufruct or Musataha right for more than 10 years may, without the Owner's permission, dispose of the real estate by any action, including mortgage, and the Owner shall not dispose of it without the consent of the holder of usufruct or Musataha rights; in either cases, the two parties can agree otherwise. An Executive Council resolution shall issue a resolution on the bye-laws of the Investment Zones, as well as the means of service provision therein, without contravening the provisions of the said Law.

Article (5)

Waiving the right of usufruct, Musataha, or real right does not affect the obligations towards the owner of property on which the usufruct occurs, unless otherwise agreed in the contract or the deed entailing that right..

Article 6

Neither the ownership right, nor any other real rights entailed therefrom shall be transferred, either between the two contracting parties or a third party, without registration.

Article 7

The real property, usufruct right, or Musataha right shall be registered in the name of the heirs, after submitting a decree of distribution that proves their right in the legacy of the real estate owner, usufructuary or holder of Musataha Right. If it is proved that one of the heirs is non-national, any of the heirs or all of them collectively may purchase the non-national heir's share at the market value. If they fail to do so, they shall have the right to resort to legal proceedings to obtain a court order to sell his share or the whole real estate and to distribute the respective shares from the sale amount within the limits of the provisions of this Law.

Article (8)

Expropriation of real estate ownership, usufruct, Musataha, or any other real right pertaining to the real estate is not allowed except for public benefit or according to the document proving that right, and against a fair compensation, according to the Law.

Article (9)

Industrial lands and lands leased from the Department are fully government-owned, and their ownership is not required retroactively. Nationals may buy it according to the regulations set forth by the Executive Council.

Article (10)

Nationals shall have the right to buy and sell lands for residential, commercial, investment, and agricultural purposes, as well as buildings constructed for special purposes and allocated for each of them, in addition to other types of dispositions provided that the purpose for allocating it shall remain without change. They shall also have the right to act on public housing units allocated or to be allocated for them. They are prohibited from making any disposition thereon acting thereon without the permission of the Executive Council.

Article (11)

The executive regulations shall determine the conditions and provisions for establishing and managing Owners' or usufructuaries' association in a real estate divided into floors or apartments or in compounds composed of detached units (villas) where the number in any of them exceeds ten units, in addition to the matters related to ownership, management, maintenance, operation, and funding of elements or common facilities in these real properties, including the provisions pertaining to the financial obligations due on owners, occupants, or usufructuaries of these floors, apartments, or compounds, and the powers of the owner or manager of elements or common facilities.

Article (12)

The provisions of the Civil Procedures Law shall govern in cases where there is no specific text is mentioned in this Law.

Article (13)

The Executive Council shall issue the executive regulations, as well as the decisions necessary for the implementation of the provisions of this Law.

Article (14)

Emiri decree No. (33) of 1968 concerning the regulation of lease of land for building thereon shall be repealed.

Any provision contrary to the provisions of this Law shall also be repealed.

Article (15)

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

Khalifa bin Zayed Al Nahyan
Ruler of Abu Dhabi

Issued by us in Abu Dhabi

Date: 10 August 2005

Corresponding to: 5 Rajab 1426 Hijri