

**Chairman of the Department of Municipal Affairs' Decision No. (52/1) of 2008  
Issuing the Executive Regulations of Law No. (3) of 2005 concerning  
the Regulation of Real Estate registration in the Emirate of Abu Dhabi**

**Chairman of the Department of Municipal Affairs:**

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. (3) of 2005 concerning the regulation of real estate registration in the Emirate of Abu Dhabi; and Chairman of the Executive Council Resolution No. (62) of 2007 on amending the schedule of fees for the same;
- Law No. (19) of 2005 concerning real estate ownership, and its amendments;
- Law No. (10) of 2006 concerning the Municipality and Municipal Council of the Western Region in the Emirate of Abu Dhabi;
- Law No. (9) of 2007 concerning the establishment of the Department of Municipal Affairs;
- Law No. (10) of 2007 concerning the Municipality and Municipal Council of Abu Dhabi City in the Emirate of Abu Dhabi;
- Law No. (11) of 2007 concerning the Municipality and Municipal Council of Al-Ain in the Emirate of Abu Dhabi;
- Law No. (23) of 2007 concerning the establishment of Abu Dhabi Urban Planning Council;
- Federal Law No. (5) of 1985 concerning the issuance of the Civil Transactions Law and its amendments;
- Federal Law No. (10) of 1992 promulgating the Law of Evidence in Civil and Commercial Transactions;
- Federal Law No. (1) of 2006 on electronic commerce and transactions;

**Decided the following:**

**Article (1)**

The provisions attached to this decision shall apply to the Executive Regulations of Law No. (3) of 2005 on the regulation of real estate registration in the Emirate of Abu Dhabi.

**Article (2)**

This decision shall become effective from the date of its issuance and published in the Official Gazette.

**Dr. Jouan Salem Al Dhaheri**  
**Chairman of the Department of Municipal Affairs**

Issued by us on:

On: 21 Rabi Al Akhar 1429 Hijri

Corresponding to: 27 April 2008

**Executive Regulations of Law No. (3) of 2005  
concerning the Regulation of Real Estate Registration in the Emirate  
of Abu Dhabi Issued by the Chairman of the Department of Municipal Affairs'  
Decision No. ( 52/1) of 2008**

**Title (1)  
General Provisions  
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:

<b>Emirate</b>	:	The Emirate of Abu Dhabi.
<b>Executive Council</b>	:	The Executive Council of the Emirate
<b>Competent Authority</b>	:	Department of Municipal Affairs- Abu Dhabi City Municipality- Al Ain City Municipality- Western Region Municipality- and any Municipality that may be established in the future in the Emirate.
<b>Division</b>	:	Real Estate Registration Division at the competent authority.
<b>Competent Technical Entities</b>	:	Town Planning and Survey Sector, at the competent entity.
<b>Registrar</b>	:	The manager of the Division
<b>Law</b>	:	Law No. (3) of 2005 concerning the regulation of real estate registration in the Emirate of Abu Dhabi; and the Chairman of the Executive Council Resolution No. (62) of 2007 on amending the schedule of fees for the same.
<b>Site Plan</b>	:	The survey engineering drawing issued by the competent technical entity, indicating the land location, boundaries, landmarks, number, dimensions, area and coordinates.
<b>Real Property</b>	:	All kinds of real estates including lands, buildings, establishments, and real estate properties by allotment, and all apartments and floors constituting a single real property.
<b>Public housing unit</b>	:	House allotted for nationals, for free, according to the regulations applicable in the Emirate.
<b>Title Deed</b>	:	Certificate issued by the Real Estate Registration Division as per the real property folio that specifies the real estate

		location, boundaries, area, owner, and any dispositions related to the real estate and any modifications thereon.
<b>Register</b>	:	The Real Estate Register established in accordance with the provisions of the law.
<b>First registration</b>	:	Registering the real property in the Real Estate Register for the first time in its current condition and allocating a folio for it in the Register in accordance with the provisions of this Law, and these executive regulations.
<b>Document</b>	:	Any final ruling, order, contract or document that must or may be registered in accordance with the provisions of this Law and these regulations.
<b>Original Real Right</b>	:	The right of ownership
<b>Rights Derived From Ownership Right</b>	:	Usufruct, use, residential, and Musataha rights (the decision).
<b>Subordinate Real Right</b>	:	The right established on a real estate property as a collateral for another right, such as mortgage, possessory lien, or preferential rights.
<b>Right of easement</b>	:	The right that limits the beneficial use of a real property in favor of another real property owned by another person.
<b>Disposition</b>	:	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, transactions of mortgage, usufruct, Musataha, long-term lease contracts over four years, Hawala (transfer contracts), assignment, gift, and contracts related to any disposition of a real estate pursuant to the provisions of the enforced laws in the Emirate
<b>Notary public</b>	:	The employee authorized by the head of the concerned entity to notarize the signatures of the concerned parties on contracts and acts of dispositions that are registered at the Real Estate Registration Division in accordance with the provisions of these regulations.
<b>Investment Zones</b>	:	Zones designated by an Executive Council resolution in accordance with the provisions of Law No. (19) of 2005 on real estate ownership and its amendments.

<b>Compound (s)</b>	: Residential and /or commercial areas prepared to accommodate more than twenty-five thousand people, and administered directly or indirectly by an founding legal person in the emirate; or any residential and/or commercial areas that the registrar deems it as falling under this concept, including islands prepared for residential and/or commercial purposes to accommodate over twenty-five thousand people and also investment zones.
<b>Common Usufruct Declaration</b>	: The document issued by the authority responsible for administrating any of the compounds in the emirate and proved at the registrar in that compound. This document contains provisions and conditions related to the real estate shape, its external appearance, and the degree of compliance of the real estate property or buildings to be established thereon with the layout of the compound. It also incorporates provisions and conditions pertaining to common utilities of the compound, their maintenance and insurance, and service fees levied on owners or beneficiaries from services provided by the entity responsible for managing the compound and the method of collecting these fees, in addition to the terms and conditions of assignment of any real rights to the real property , its lease, and administrative fees due to the entity in charge of the Division. This document also shows the consequences of failing to abide by its provisions.
<b>Real Estate Folio</b>	: Paper or e-records incorporating all data and dispositions related to the real estate property, and any amendments thereon.

### **Article (2)**

The provisions set forth in these executive regulations shall apply to all real estate properties located inside and outside Investment Zones in the emirate, as well as to dispositions on those properties.

**Title (2)****Chapter One****Real Estate Registration Division and Its Competencies****Article (3)**

1. A department called (Real Estate Registration Division) shall be established in every competent authority in the emirate, which - within its prescribed competencies- shall carry out all procedures related to real property registration, dispositions, and any amendments thereon, including:
  1. Designate the survey or re-survey areas and endorse the maps prepared for that.
  2. Define the rules for surveying, inspection, and issuance of maps related to real estate properties.
  3. Set rules related to organizing, keeping and destroying documents.
  4. Set rules for using computers in storing and recording data.
  5. Set rules related to organizing and keeping the register of real estate brokers.
  6. Set rules related to the sale of a real estate property in optional public action and oversee it.
2. The head of the competent authority may, within his jurisdiction- where necessary, establish a branch for the division in every compound in the emirate to register real estate properties in that compound and all dispositions that occur on those properties and the amendments thereto, and the chairman of the Department of Municipal Affairs shall issue a decision to transfer the registers kept at any competent authority to any other concerned competent authority to enable the latter to keep, manage, and update these registers that fall within its jurisdiction.
3. The head of the competent authority shall issue a decision regarding the organizational structure of the division and the modus operandi in accordance with what he deems necessary to implement the provisions of the Law and these executive regulations.

**Real Estate Registrar****Article (4)**

1. A manager under the title of (Registrar) shall be appointed for each division by a decision from the head of the competent authority.
2. The head of the competent authority or his delegate may appoint a person to perform the work of the registrar in his absence.
3. The registrar shall be directly responsible for the work of the division before the head of the competent authority or whoever he delegates.

4. The registrar shall regulate the work of the division, supervise its workflow, and shall make proposals related to the issuance of laws, regulations and decisions related to this regulation when the need of work arises.
5. The registrar shall have a signature and seal approved by the head of the competent authority, in order to carry out his job duties.
6. The registrar shall be assisted by a sufficient number of employees as required by the work needs in the division.

## **Chapter Two**

### **Register**

#### **Article (5)**

1. The register is composed of a group of real estate sheets papers that are that are customized, and concluded in written or electronic form and kept at the division, and they describe each real estate property, its location, the rights pertaining thereto, the dispositions thereon, and the modifications
2. thereto successively.
3. A real estate folio shall be created for every real property, whether owned by one or several persons commonly owning the property and is based on the site plan issued by the competent technical authority.
4. If a single registered real property is divided and each owner has a part thereof , the real estate folio shall be replaced with a number of folios that are created as per the plans issued by the competent technical authority after paying the (relevant) fee, and it shall be annotated in the original folio that a division has occurred, and the folio shall be crossed out without being pulled out of the register.
5. The register shall have the absolute force of evidence and legality, and its data may not be challenged except in the case of forgery before the competent judicial authorities.
6. The documents and sheets that are electronically registered shall have the legality of the original document to prove the data contained therein.

## **Registration Books**

### **Article (6)**

The Real Estate Registration Division shall keep the following books:

1. Application book, designated for applications for registration and annotation (mark or indicate an entry) that are submitted to the division using a serial number according to priority of application as per the date and time of submission.
2. The Final Registration Book, designated for recording dispositions and annotations present in the register, and shall be with a serial number according to the priority of registration,

and shall start with number one on the first of January and end with the last number at the end of December of each year.

3. Photocopies' book, designated for keeping photocopies, with the number and date of entry of either a paper or a document in the register, the names of the stakeholders therein, the date of delivery a copy of the document or sheet to its applicant after signing an acknowledgement receipt.

### **Keeping the Original Documents**

#### **Article (7)**

1. Each real estate property shall have a special file where the original site plan, the attachments related to the allotment transaction approved by the technical competent authority, original documents of all dispositions occurring on the real estate property, and the original applications of stakeholders pertaining to the real property are all kept.
2. The stakeholders or those concerned, shall, upon their request, be given copies of any document kept in the real property file after paying the prescribed fee.
3. It is not permissible to transfer any document kept in the real property file or transfer the original register of the real property save by an order from a competent court or by a decision from the head of the competent authority.
4. The registrar may provide the competent official authorities, upon their request, with a certified true copy of the original documents kept in the real property file.

#### **Title (3)**

#### **Chapter One**

#### **Registration**

#### **Article (8)**

1. Registration means notarization, amendment, indication, notation (marking), correcting, and striking through in the real estate folio.
2. The dispositions and entries following the first registration entry in the real property folio are recorded based on a certified contract with the signatures thereon notarized before the registrar or the notary or based on a final irrevocable ruling from a competent court, or the final decisions of competent committees, or the text of the law, or the resolutions of the Executive Council.
3. Every registration shall be supported by the signature and seal of the registrar or whoever is authorized by the head of the competent authority. The registration shall be in black or blue ink, while cross-outs shall be in red ink, without erasure, interlineations, addition, or



blanks, provided that the deleted sentence or phrase remains legible. The registration entry number with which the registration occurred shall always be referred to in the register.

4. No right shall be recorded in the register except by the former holder of the registration right or by his written consent proving his signature before the registrar, if successive contracts were concluded, the last disposition shall not be recorded except after recording the dispositions that preceded it in their successive order and after the completion of the legal conditions of registration for each one separately. The former registration shall be struck through in red.
5. The ownership of real estate right or any dispositions thereon may be registered in the name of one or more natural persons or in the name of a legal person.

### **Amendment, Deletion and Correction**

#### **Article (9)**

1. No change, deletion, or amendment of the data contained in the register may be made, except by a final judicial ruling issued by a competent court, or upon a written request submitted by whoever has the right to that and accompanied by the original documents indicating the change and amendment approved by the official authorities. The division shall have the right to accept or reject the request for change or amendment.
2. The Division shall refer the requests and documents submitted to it to the competent technical authority for review and decision-making, if they would change the survey data (including requests for division and merging), and then to be returned to the Division with the review results.
3. The registrar may correct the proven material errors in the register sheets on his own initiative or at the request of stakeholders. After registration, no correction shall be made except after notifying the stakeholders.
4. The registrar may not correct if such correction shall affect third party rights except after notifying the stakeholders, and in the event of any correction, a report shall be written, with the minutes including the error, its cause, how to address it and the action taken thereon.
5. The Division must notify every owner or person whose rights have been affected or extinguished by an entry in the register or by annotation, or rectification once this has been done, as well as notifying the competent technical authority of changes in all register data, and this shall be enlisted in detail in the certificates extracted from the register.
6. In the event that the real estate folio is damaged, it will be replaced by another new sheet. The damaged sheet is kept in the real estate file, and the registrar shall issue a report explaining the reason for replacement.

7. All data are recorded electronically according to the state-of-art technologies, and in the event of discrepancy between the data in the register and those in the site plan or those saved electronically, the data in the register shall govern.

**Chapter Two**  
**Notarization of Signature**  
**Article (10)**

1. The notary endorses the signatures of the concerned parties mentioned in the contracts subject of registration in the event of their presence, after duly checking their identities, and if any of the parties could not sign the notary may use his thumb mark instead.
2. In the event that the concerned parties could not attend for any reason according to the registrar's discretion, the notary may go to them (at their place) to endorse their signatures after paying the fees prescribed in the attached schedule.
3. The registrar may certify the signatures of the concerned parties, according to his own discretion for each individual case after verifying the validity and legality of the submitted documents.
4. The notary shall ask the concerned parties about the subject of the disposition they wish to register, prior to their signature, and shall inform them about its contents, without behaving in a way that affects the free will of the contracting parties or incline them to what they don't want. If one of the contracting parties is deaf and dumb, dumb and blind, deaf and blind, has a poor eyesight, or has a disability that prevents him from expressing his free will, the registrar may seek the assistance of an expert to help the notary carry out the disposition, and the notary may have his approval with the assistance of the person appointed by the competent court.
5. After signing the contract or the request to be registered, the notary shall mark his signature in the contract or request for the purpose of endorsing the signatures, along with mentioning the names of the concerned parties.

**Title Search Certificate**  
**Article (11)**

1. Each owner has the right to obtain a title search certificate for the real property he owns, which includes all the restrictions related thereto, that are recorded in the register of the said real property, and each stakeholder, including to name but a few (lawyers, banks) shall have the right to obtain the said certificate by the written consent of the owner or by a decision from the competent court after payment of the prescribed fees.
2. Every holder of a real right may obtain a registration certificate for his registered right.

3. If the real property is owned by more than one person, then each of them is entitled to request a search certificate in which he records the restrictions related to his share only.
4. The search certificate is issued with the signature of the manager of the division or his deputy.
5. The validity period of the title search certificate for the purpose of sale shall be fifteen working days from the date of its issuance, and it is forbidden to register any disposition on the real property, or to issue a new title search certificate or, to mark in the register any request during this period, unless the certificate is cancelled at the owner's request and with the approval of the registrar, and dispositions registered by a court order shall be excluded from the above.

**Chapter One**  
**Dispositions to be Registered**  
**Article (12)**

1. All restrictions and dispositions on residential (including but not limited to apartments and floors), commercial, investment or agricultural real properties and buildings built for a specific purpose, and which would create an original real property rights or rights derived from ownership right, or transfer, change or, extinguish any of these rights shall all be registered, in addition to all final rulings proving any of the said rights, including but not limited to, sale, gift, endowment, and will.
2. All dispositions and final rulings proving one of the original real rights.
3. All rulings and dispositions establishing one of the subordinate real rights or rights derived from ownership right, or proving these rights, including to name but a few, mortgage, possessory lien, preferential rights, and usufruct rights.
4. A real property right proved by inheritance shall be registered in the names of the heirs, and it is not permissible to register any disposition on part of the heir related to any of these rights prior to the registration of the inheritance right, which right may be registered for only a part of the real estate properties constituting the bequest.
5. Lease contracts related to the use of a real estate property shall be registered if its term exceeds four years, and it is permissible to mark it in the register at the request of any person enjoying a right or using the lease contract whose term is four years or less.
  - All dispositions shall be written in Arabic language and signed by all parties and witnesses in the way prescribed by law.
  - They may be written in two languages, one of which is Arabic, in which case the Arabic text only will be endorsed.

## **Buying and Selling Real Properties**

### **Article (13)**

- The process of buying and selling real estate is carried out according to the following procedures and conditions:
- The presence of the seller and the buyer or their legal representatives before the registrar to conclude the contract.

The following documents shall be attached to the sale transaction:

- a) The original copy of the title deed of the property subject of sale.
  - b) A recent title search certificate issued for the purpose of sale.
  - c) An approved site plan issued by the competent technical authority, provided that at the time of applying for the transaction, not 30 days have passed since its issuance.
  - d) Land valuation certificate endorsed by the registrar or his deputy as per the real estate valuation index approved by the chairman of the competent authority. The two contracting parties may agree on another sale price. In that case, the sale fees shall be collected according to the highest appraisal value.
  - e) A copy of the proof of identity and nationality for the seller and the buyer. In case one of the contracting parties is a legal person, the commercial register certificate, commercial license, official documents showing the legal form and nationality and a proof that the deputy or representative of the legal person is entitled to sign by virtue of a duly authorized proxy.
- Paying the prescribed fees.
  - Two copies of the sale contract shall be issued and parties to the contract or their legal representatives shall sign before the notary.
  - A copy of the sale contract shall be submitted to the buyer, and a letter to the competent technical authority shall be attached thereto to issue a site plan in the buyer's name, and the second copy of the sale contract shall be kept in the file of the property subject of sale, and the buyer may, upon his request, obtain a certified copy of the contract.
  - The Division shall issue the title deed endorsed by the head of the competent authority or his deputy.

## **Contractual Capacity to Buy and Sell**

### **Article (14)**

Without prejudice to the provisions of the laws governing contractual capacity, the following regulations shall be followed:

1. The seller must have come of age, and there is no legal impediment diminishing his capacity, and the laws related to contractual capacity must be applied to the buyer.

2. The guardian or trustee may not make any disposition on the minor's property if that disposition transfers ownership or establishes a real right thereon without the permission of the competent court.

**Chapter Two**  
**Division and Merge**  
**Article (15)**

Division or merge takes place either at the request of the owner (s) if many, or by a judicial ruling, and the competent technical authority shall review whether the technical conditions required as per its technical regulations for division and merging have been fulfilled, and in all cases, ownership in floors, apartments, places, and common utilities according to what is determined by the Executive Council in the executive regulations and decisions implementing Law No. (19) of 2005 on real estate ownership.

**Chapter Three**  
**Registration of Dispositions and Contracts by Power of Attorney**  
**Article (16)**

1. If the registration of any disposition is required by an agent, it must be first verified that the content of the contract or disposition to be registered do not exceed the limitations of the power of attorney.
2. The power of attorney stated in general terms that does not specify the type of legal disposition to be registered, and which does not grant the agent powers except in administration matters, and where there must be a limited power of attorney for each disposition not related to administration matters especially in sale, mortgage, donations, conciliation and acknowledgment, and the limited power of attorney does not grant the agent any powers except for carrying out the matters specified therein, and as per the consequences of the said matters and according to the nature of each disposition.
3. The agent may not contract himself in principal's name unless this is expressly mentioned in the POA.
4. For POAs issued in the country, the principal's signature must be endorsed by the competent judicial authorities, while the POAs issued abroad must be duly endorsed.
5. Legal persons are represented by their agents authorized for this purpose in accordance with the laws, decrees, contracts, or articles of incorporation.

## **Registration of Court Rulings on Sale**

### **Article (17)**

Court rulings issued by competent courts to approve and authorize sale and purchase shall be registered, and registration fees shall be collected depending on the real estate appraisal value at the time of registration or as per the amount mentioned in the court ruling, whichever is higher.

## **Partial Sale Registration**

### **Article (18)**

1. Each owner may sell any part of the real property owned by him, in which case common ownership is registered for the owners.
2. In the event that the owner wants to divide the property and sell a specific part thereof, a division must be made according to article (15) of these executive regulations as a prerequisite for registering the sale contract.

## **Chapter Four**

### **Registration of Waiver**

#### **Article (19)**

Registration provisions for acts of sale shall apply to waiver as regards registration and fees.

## **Swap Registration**

### **Article (20)**

1. It is permissible to carry out a swap of any of the real properties and buildings established for a specific purpose.
2. Registration of the swap contract requires the fulfillment of the following conditions:
  - a) Approval of the swap by the relevant division at the competent authority, and if the subject of the swap is a national's house, the approval of the Executive council must be obtained.
  - b) The presence of the two parties to the swap in person or by their legal representatives before the registrar, and where the owners are minors, the approval of the competent court on the swap must be obtained.
  - c) Pay the prescribed fees for each real property separately from the other according to what is specified in the schedule attached to this Law.

## **Registration of Inheritance Right**

### **Article (21)**

1. The provisions related to the inheritance right and the distribution of estate shall be registered as per the decree of distribution issued by the competent court indicating the lawful shares of the heirs,
2. Application for registration of inheritance right shall be submitted by one of the heirs, the person representing him, or a stakeholder with an interest in registration.
3. The registration of inheritance rights and provisions related thereto are exempted from fees.

## **Registration or Revocation of a Gift**

### **Article (22)**

- It is permissible to carry out a disposition on the gift in any of the real properties covered by virtue of Article (10) of the Law.
- Registration of the gift contract requires that the following conditions and procedures be met:
  1. Verify that the gifted property is registered in the name of the donor.
  2. Verify that the property is free of barriers and restrictions that prevent the transfer of ownership.
  3. Submit an acknowledgment of the gift or its revocation issued by a competent court attached to a letter addressed to the division.
  4. The donee has the right to have the gift.
  5. Except for gifts between ascendants, descendants, and spouses, a gift shall be treated as a sale, in respect of fees.
  6. Payment of the prescribed fees according to the schedule of fees. With regard to fees, revocation of gift shall be treated as a gift (registration).
  7. Notification of the competent division in case of any amendment to the data of the property plan to replace the name of the donor with that of the donee.

## **Registration of the Mortgage Right**

### **Article (23)**

1. The mortgage right on real properties is registered according to the following conditions and procedures:
  - Submit three copies of the mortgage contract concluded between the real property owner or the holder of usufruct or Musataha right subject of mortgage and the

mortgagee creditor showing the description of the real estate property, mortgaged right, the degree of mortgage, the amount of the mortgage, and the debt repayment duration.

- The presence of both parties to the contract or their legal representatives to sign the contract before the registrar, and if one of the owners is a minor, this requires the approval of the competent court on the mortgage.
  - Pay the prescribed fees.
  - Follow the same previous procedures when registering an appendix to a previously registered mortgage contract.
  - Discharge of mortgage requires the presence of the mortgagee creditor or his legal representative, and to submit written consent to remove the encumbrance from the register of the mortgaged property and to pay the prescribed fees.
2. In the event of amending the terms of the mortgage contract or the real property subject of mortgage without increasing the mortgage sum, only a fee for marking in the register shall be collected, and if the amendment is related to the mortgage sum, the fees collected shall be paid on the difference between the registered mortgage sum and the new sum.
  3. It is permissible to have multiple mortgages on the same real property, and the mortgages shall be registered in sequence in the order of priority.
  4. In the event of placing a mortgage on rights derived from ownership right for the interest of any financing entity, no disposition shall be carried out on these rights without the approval of the financing entity.
  5. Holders of usufruct right or Musataha right for more than ten years may, without the owner's permission, make a disposition thereon, including its mortgage, and the owner of the real property shall not mortgage it without the consent of the holder of usufruct or Musataha right, and in both cases the two parties may agree otherwise.

**Registration of Government-Owned  
Real Estate Lease Contracts  
Article (24)**

Lease contracts of government-owned real estate are registered after fulfilling the following conditions:

1. Three copies of the lease contract signed and sealed by the relevant division at the competent government authority.
2. The presence of the tenant in person or through his authorized representative to sign before the registrar.



3. Payment of the registration fees, and for contracts with a term of four years or less, only the fees for annotation in the register shall be collected.

### **Registration of Lease Contracts between Individuals**

#### **Article (25)**

Lease contracts with a term of more than four years are registered as follows:

1. Submit three copies of the lease contract.
2. The presence of the real property owner and the tenant in person or through their authorized representatives to sign the contract before the registrar.
3. Payment of registration fees; for contracts with a term of four years or less, only marking fees shall be collected.

### **Registering a Will**

#### **Article (26)**

The declarations and rulings related to the will are registered after submitting two copies of the probate of will that is attested by the competent judicial authority and after paying the prescribed fees.

### **Registration of Attachment over Property and Restrain on Alienation**

#### **Article (27)**

Precautionary or executive attachment over property or restrain on alienation shall be entered in the Register under a verdict issued by the competent court. Registration may not be struck off without a subsequent judgement for lifting such precautionary or executive attachment over property or restrain on alienation, is issued by the same court that adjudicated the same after settling the prescribed fees.

### **Registration of Public housing units**

#### **Article (28)**

1. A single real property folio shall be created in the register for every national's house, be it allotted for one or several persons, and shall include the description of the house, its location, and the rights, dispositions, and modifications thereon.
2. The registration of the public housing units in the register shall be based on a site plan approved by the competent technical authority, and the decision to allot the house for its owner (s).

3. The registration of the public housing units and dispositions thereon shall be subject to all the provisions mentioned in these regulations, and the dispositions on the public housing units shall not be registered without the approval of the Executive Council and a pledge by the national not to claim compensation for what he has disposed.

### **Registration of Apartments and Floors**

#### **Article (29)**

Each apartment or a common part in a real estate with multiple apartments and multiple floors shall be deemed a single real property, with each having an individual real property folio in the register, and the registrar shall issue individual ownership certificates for each apartment or common part, subject to the fact that registering the apartments in the name of natural or legal persons who are non-nationals or are GCC citizens shall be confined to properties, apartments, and floors, not land, located within investment zones, and in all cases, the owner of the apartment shall have the right to carry out any disposition thereon.

### **Registration of Original Real Right and Rights**

#### **Derived Therefrom, and their Waiver**

#### **Article (30)**

1. The registration of the original real right and the rights derived from ownership right and waiver thereof shall be as follows:
  - a. The presence of the real property owner or the holder of the right derived from ownership right (as the case may be) and the buyer of that right or the assignee or whoever represents them by virtue of a power of attorney with all the signatures thereon notarized.
  - b. The following documents shall be attached to the registration transaction:
  - c. The original copy of the title deed of the property or title deed of the right derived from ownership right.
  - d. A recent title search certificate issued for the purpose of registering the right derived from ownership right.
  - e. A Land valuation certificate approved by the registrar as per the approved real estate valuation index.
  - f. A copy of the proof of identity and nationality of the owner or of the holder of the right derived from ownership right (as the case may be), and of the buyer or the assignee, and if any of them is a legal person, it has to attach the official documents proving the legal form along with the statement of nationality.
  - g. Pay the prescribed fees according to the attached schedule.

- h. Two copies of the contract of sale or waiver shall be issued, and the parties to the contract or their legal representatives shall sign before the notary.
  - i. The division shall issue the title deed derived from ownership right.
2. The registration of rights derived from ownership right shall be outside the Investment Zones according to what is determined by the Executive Council.

**Additional Provisions Related to  
Registration in the Compounds  
Article (31)**

1. If the disposition is carried out on a property located in one of the compounds in the emirate, then such a disposition shall not be registered without the approval of the registrar or the legal person in charge of managing that compound, and if the disposition grants any of the contracting parties an original real right or a right derived from ownership right then the buyer, the assignee, or the new beneficiary from the right of ownership or the right derived from ownership right must, while applying for registration, submit a pledge stating his adherence to all the provisions set forth in the common usufruct declaration and any controls or instructions determined by the legal person managing the compound and which is marked in the register of the competent authority.
2. The ownership of the common utilities may be registered in the name of the Owners' Association.
3. No disposition on a real property located within one of the compounds in the emirate shall be registered, except with the registrar in the real estate registration division in that compound, and after paying the registration fees and submitting a proof that the owner of the real property is not indebted to the entity managing the compound by any fees, expenses, or damages.

**Title (5)  
Final Provisions  
Article (32)**

1. The ownership of a property shall not be transferred save by registration.
2. In case of non-registration, no rights shall be established, conveyed, changed, or extinguished between the concerned parties or in relation to others.
3. Unregistered dispositions shall have no effect other than as personal obligations between concerned parties.

## **Valuation**

### **Article (33)**

1. The real estate valuation is carried out by the registrar as per the schedule of price estimates approved by the chairman of the competent authority, and registration fees are collected based on the amount of that valuation, and the seller and the buyer may agree on another sale price, in which case the fees are obtained based on the agreed price if it is higher than the set valuation.
2. The real property valuation certificate is issued at the request of the property owner, or at the request of a competent or relevant entity after paying the prescribed fees, and the concerned parties may complain about the valuation decision before the head of the competent authority, and the decision issued in this regard shall be final and irrevocable.

## **Registration Fees**

### **Article (34)**

1. The fees due on dispositions shall be collected prior to their registration or their marking in the register according to what is mentioned in the schedule of fees issued by virtue of the Chairman of the Executive Council Resolution No. (62) of 2007 regarding the amendment of the schedule of fees of the same law as attached, and the fee is multiplied according to the number of dispositions preceding the disposition subject of registration.
2. The following dispositions are exempted from fees:
  - a. The first registration of the real property in the register, as well as the first registration of the national's house.
  - b. The first registration of the inheritance rights and the rulings related thereto.
  - c. Government - related dispositions, but fees are collected on dispositions carried out by the government in favour of a third party.
  - d. The provisions of the previous paragraph shall apply to the dispositions of any entity that is exempted from fees under the laws and decrees issued in relation to establishing it or by virtue of subsequent orders issued by the competent entities.