

Emirate of Abu Dhabi Official Gazette
Department of Municipal Affairs Chairman's Decision No. (52/1) of 2008
on Issuing the Executive Regulation of Law No. (3) of 2005 Regarding
Organization of Real Estate Registration in the Emirate of Abu Dhabi
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Department of Municipal Affairs Chairman:

- Upon perusal of Law no. (1) of 1974 regarding Reorganization of Governmental Bodies in the Emirate of Abu Dhabi, as amended,
- Law no. (3) of 2005 regarding Organization of Real Estate Registration in the Emirate of Abu Dhabi,
- Law no. (19) of 2005 on Real Estate Ownership, as amended,
- Law no. (10) of 2006 regarding Municipality and Municipal Council of the Western Region in the Emirate of Abu Dhabi,
- Law no. (9) of 2007 regarding the establishment of Department of Municipal Affairs,
- Law no. (10) of 2007 regarding Municipality and Municipal Council of Abu Dhabi City in the Emirate of Abu Dhabi,
- Law no. (11) of 2007 regarding Municipality and Municipal Council of Al-Ain City in the Emirate of Abu Dhabi,
- Law no. (23) of 2007 establishing Abu Dhabi Urban Planning Council,
- Federal Law no. (5) of 1985 issuing the UAE Civil Transactions Code, as amended,
- Law no. (10) of 1992 issuing the Evidencing Law in Civil & Commercial Transactions Code, as amended, and
- Federal Law no. (1) of 2006 regarding Transactions & E-Commerce.
- We decided the following:

Article (1)

The provisions attached hereto shall be applicable in respect of the Executive Regulation of Law no. (2) of 2005 in respect of organization of Real Estate Registration in the Emirate of Abu Dhabi.

Article (2)

This decision shall be effective as from the date of issuance thereof, and shall be published in the official gazette.

[Signed]

Dr. Jawaan Salem Al-Dhaheri

Department of Municipal Affairs Chairman

- Seal of the Department of Municipal Affairs, Emirate of Abu Dhabi.

Issued by us:

On 21 Rabei Al-Akher 1429

Corresponding to: 27 April 2008

Executive Regulation of Law No. (3) of 2005

Regarding Organization of Real Estate Registration in the Emirate of Abu Dhabi

Issued by Department of Municipal Affairs Chairman's Decision No. (52/1) of 2008

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Chapter (1)

Article (1) General Provisions

In application of the provisions of this Regulation, the following words and phrases shall bear the meanings assigned to each, unless the context requires otherwise:-

Emirate: Emirate of Abu Dhabi.

Executive Council: Executive Council of the Emirate.

Competent Authority: (Department of Municipal Affairs -Municipality of Abu Dhabi City- Municipality of Al-Ain City- Municipality of Western Region – or any municipality to be establish in the future in the Emirate).

Department: Real Estate Registration Department in the Competent Authority.

Competent Technical Authorities: City Planning Sector and Land Registry Office in the Competent Authority.

Registrar: Department's Director.

Law: Law no. (3) of 2005 regarding Organization of Real Estate Registration in the Emirate of Abu Dhabi.

Land Map: means the cadastral engineering drawing issued by the Technical Competent Authority in which the land location, borders, marks, number, dimensions, area and coordinates.

Property: All different kinds of property including lands, buildings, establishments, properties by allocation and all apartments and floors constituting a single property.

Popular Housing: Housing assigned to the citizen free of charge pursuant to the regulations applicable in the Emirate.

Title Deed: Certificate issued by Real Estate Registration Department based on the facts of property cadastre specifying the property's location, borders, area, owner and any dispositions made to the property and any modifications made thereto.

Register: Real Estate Register created pursuant to the provisions of Law.

1st Record: Registration of property in Real Estate Register for the first time as it is and allocating a statement therefor in the Register pursuant to provisions of Law, and this Regulation.

Instrument: Any conclusive judgment, order, contract or document, which must or may be registered pursuant to provisions of Law and this Regulation.

Original Real Right: Title.

Rights Branching from Title: Rights of usufruct, utilization, housing and Musataha (settlement).

Ancillary Real Right: Right imposed on the property ensuring another right, such as pledge or mortgage or liens.

Easement: Right limiting the use of a property in favor of another property owned by another person.

Disposition: Any transaction affecting the existing rights to the property, or resulting in new rights thereupon, including – without limitation – sale and purchase of properties, transactions of pledge, utilization, Musataha, lease contracts for more than four years, contracts of transfer, assignment and donation and contracts relating to any disposition of property pursuant to the provisions of laws effective in the Emirate.

Notary: an employee authorized by the Competent Authority's chairman to notarize the signatures of concerned parties in contracts and dispositions to be registered with the Real Estate Registration Department pursuant to the provisions of this Regulation.

Investment Areas: areas to be specified by a decision from the Executive Council pursuant to the provisions of Law no. (19) of 2005 on Real Estate Ownership, as amended.

Complex or Complexes: Housing and/or commercial areas prepared to take more than twenty five thousand persons, whose management are directly or indirectly assumed by a legal corporate personality in the Emirate, or any housing and/or commercial areas which the registrar thinks as included within this concept including the islands prepared for housing and/or commercial purposes to take more than twenty five thousand persons and investment areas.

Common Utilization Statement: Instruments issued by the authority managing any complex in the Emirate, registered with the registrar in that complex. This instrument shall include provisions and conditions relating to the property status, outward appearance, consistency thereof or the buildings to be built thereupon with the general plan of the complex. It also shall include provisions and conditions relating to common facilities in the complex and maintenance and insurance thereof and services fees imposed on owners or beneficiaries of such services provided by the authority managing the complex, way and method of collecting such fees, in addition to conditions and provisions of assignment of any real rights in the property, lease thereof and administrative fees due to the managing authority. This instrument explains also the consequences of non-compliance with its provisions.

Property Cadastre: Hard or soft register which include all data and dispositions made to the property, and any changes thereto.

Article (2)

The provisions of this Regulation shall be applicable to all properties located inside and outside the investment areas in the Emirate in addition to dispositions made to such properties.

Chapter (2)

Section (1)

Article (3) Real Estate Registration Department & Its Powers

1. At every Competent Authority in the Emirate, a department called (Real Estate Registration Department) shall be established which shall – within the jurisdiction area assigned thereto – take all procedures relating to real estate registration, dispositions and modifications made thereto including:
 - a. Determine locations of survey or resurvey and certify the maps prepared therefor.
 - b. Determine the rules relating to survey and inspection and issue maps relating to properties.
 - c. Set the rules relating to organization, filing and destruction of documents.
 - d. Set the rules relating to use of computer in filing and recording of data.
 - e. Set the rules relating organization and filing the real estate brokers register.
 - f. Set the rules relating to sale of property by optional auction and supervising the same.
2. Chairman of the Competent Authority may within his jurisdiction – if necessary – establish a branch of the department at every complex in the Emirate for real estate registration at that complex in addition to all dispositions made upon such properties and modifications made thereto. The Department of Municipal Affairs shall render a decision transferring the records with a competent authority to another certain competent authority to be able to file, manage and update such records which are within its jurisdiction.
3. Chairman of the Competent Authority shall render a decision of the organizational structure of the Department and its internal regulations as he thinks as necessary to enforce the provisions of Law and this Executive Regulation.

Article (4) Real Estate Registrar

1. A director called (registrar) shall be appointed for every department, by a resolution from the Competent Authority's chairman.
2. The Competent Authority's chairman or his representative may appoint a person acting as a registrar in case of his absence.

3. The registrar shall be responsible for the management works directly before the Competent Authority's chairman or his representative.
4. The registrar shall organize the management works and supervise work progress therein, and set proposals relating to issuance of laws, regulations and decisions in respect of such organization, if work so requires.
5. The registrar shall have signature and seal approved by the Competent Authority's chairman, to perform duties of his job.
6. The registrar shall be assisted by sufficient number of employees as required by work in management.

Section (2)

Article (5) Register

1. The Register consists of a set of property cadastres specifically prepared, edited in writing or electronically and filed with the Department explaining the descriptions of every property, its location, rights relating thereto, dispositions made thereupon, and changes made thereto respectively.
2. A property cadastre shall be created for every property, whether owned by one or more persons in common, depending on the land map issued by the Competent Technical Authority.
3. If a single registered property is divided and every owner takes a division thereof, the property cadastre shall be replaced with several property cadastres created based on the plans received from the Competent Technical Authority upon fees payment, and the original property cadastre shall be marked with a statement indicating such division, and the property cadastre shall be cancelled without being withdrawn from the register.
4. The register shall have an absolute evidencing power, and it is not permitted to object to its data except for forgery before the competent judicial authorities.
5. The electronically-registered documents and deeds of the register shall have the same evidencing power as the original document to prove the data included therein.

Article (6) Registration Books

The Real Estate Registration Department shall keep the following books:

1. Applications Book: assigned to record registration and notation applications submitted to the Department with serial numbers based on precedence of submission as to time and date.
2. Final Registration Book: assigned to record dispositions and notations out from the register with serial numbers based on precedence of registration,

starting from no. 1 on 1st January and ending with the last number on end of December every year.

3. Photo Book: assigned to record photographs applications, recorded therein the number and date of document or instrument entry and names of concerned parties, date of submitting the document or instrument copy to its applicant after signing for receipt thereof.

Article (7) Retention of Original Instruments

1. Every property shall have a special file in which the original land map, attachments of allocation transaction approved by the Competent Technical Authority shall be saved. The original instruments of all dispositions made on the property and original applications of concerned parties relating thereto shall also be saved therein.
2. The concerned parties or whom it may concern shall, upon their request, be given copies of any instrument saved in the property files upon payment of fixed fees.
3. No instrument saved in the property file shall be transferred nor the original register of the property shall be transferred except upon an order issued by a competent court or by a resolution from the Competent Authority's chairman.
4. The registrar may provide the official competent authorities upon their request with an certified copy of the original instruments saved in the property file.

Chapter (3)

Section (1)

Article (8) Registration

1. Registration means authentication, modification, recording, notation, rectification and deletion in the property cadastre.
2. Dispositions and entries following the first entry shall be registered in the property cadastre based on a contract authenticated and countersigned before the registrar or notary, or based on conclusive judgments of competent courts, final resolutions of competent committees, or based on the provision of law or pursuant to resolutions issued by the Executive Council.
3. Every registration shall be supported by signature and seal of the Registrar or the person authorized by the Competent Authority's chairman. Registration shall be made in black or blue ink, and deletion shall be made by red ink without abrasion, insertion, addition or leaving space, provided that the deleted sentence or phrase shall remain readable. It is always indicated in the register to the number of entry which required such registration.

4. No right shall be registered in the register except if its holder has received it from the holder of previous registration right or upon his written consent, proved by his signature before the registrar. If consecutive contracts are made, the last disposition shall not be registered except after registering the precedent dispositions consecutively and fulfilling the legal conditions of registration for every disposition separately, provided that the precedent registration shall be deleted by red ink.
5. Titles of properties and any dispositions made thereupon may be registered in the name of one or more natural persons or in the name of a legal personality.

Article (9) Modification, Deletion & Rectification

1. No change, deletion or modification shall be made to the data included in the register, except with a final judicial judgment issued by a competent court, or upon a written request accompanied by the original documents proving such change and modification, authenticated by official authorities, submitted by the party who is entitled thereto, and the Department shall have the right to accept or reject the request of change or modification.
2. The Department shall refer the requests and documents submitted thereto which would change the cadastre data (including division and merger requests) to the Competent Technical Authority to consider and determine the same, then to be returned to the Department accompanied by the consideration result.
3. The registrar shall be entitled to rectify the certainly proved material errors in the register cadastres by himself or upon a request of the concerned parties. However after entry, he shall not be entitled to make any rectification except after informing the concerned parties thereof.
4. No rectification shall be made by the registrar if it is affecting third parties' rights, except after informing the concerned parties thereof, and in case of rectification he must record minutes explaining therein the error, its reason, how detected and procedure taken in respect thereof.
5. The Department shall inform every owner or person whose rights were affected or cancelled by entry, notation or rectification immediately after performing the same, in addition to informing the Competent Technical Authority of the changes made to the register data as a whole, and included in details in the certificates extracted from the register.
6. In case the property cadastre is damaged, it shall be replaced with another new cadastre and the damaged cadastre shall be saved in the property file, and the registrar shall prepare a minutes explaining the reasons of such replacement.
7. All data shall be registered electronically in accordance with the most updated technologies. In case of contradiction between the data included

in the register with the data included in the land map or data electronically saved, the data proved in the register shall prevail.

Section (2)

Article (10) Authentication of Signatures

1. The notary shall authenticate the concerned parties' signatures stated in the contracts required to be registered in case of being present, after duly making sure of their personalities. If a contracting party does not sign well, the notary may take the imprint of his thumb.
2. In case the concerned parties failed to be present for any reason considered by the registrar, the notary may move to them to authenticate their signature after payment of fees fixed in the attached schedule.
3. The registrar may authenticate the concerned parties' signatures according to his estimation for every case after making sure of the correctness and validity of submitted documents.
4. The notary must - prior to signing by the concerned parties – make sure from them of the subject of disposition which they desire to register, and inform them of its contents without affecting the contracting parties' will or without directing them to unwilled direction. If a contracting party is mute-deaf, or blind-mute, or blind-deaf, or weak-sighted, or having a disability preventing him from expressing his will, the registrar may seek the help of an expert to assist the notary in completing the disposition, and the notary may take his declaration with the help of the person appointed by the competent court.
5. After signing the contract or application required to be registered, the notary shall note by his signature in the contract or application indicating the authentication of signatures along with stating the names of concerned parties.

Article (11) Inquiry Certificate

1. Every owner shall be entitled to obtain an inquiry certificate for the property which he owns including all entries relating thereto recorded in the register of such property, and every interested party including for example but not limited to (banks, advocates....) shall be entitled to obtain the said certificate with the owner's written consent or by a decision from the competent court after payment of fixed fees.
2. Every holder of a real right shall be entitled to obtain a registration certificate of his registered right.
3. If the property is owned by more than one person, every one of them shall be entitled to request an inquiry certificate, in which only entries of his share shall be recorded.
4. Such inquiry certificate shall be issued with the signature of the Department's director or his representative.

5. The inquiry certificate shall be valid for the purpose of sale for fifteen working days as from the date of issuance thereof, and it is prohibited to register any disposition on the property, or issue a new inquiry certificate or noting in the register for any application during this period, unless the certificate is cancelled upon the owner's request and with the registrar's consent, excluding the dispositions which the court orders to register.

Chapter (4)

Section (1)

Article (12) Dispositions that must be registered

1. All entries and dispositions made on the housing (including without limitation the apartments and floors), commercial, investment or agricultural properties and buildings constructed thereupon for certain purpose shall be registered, which would create a right of the original real rights or rights assigned from the title, or transfer, change or termination of any thereof, in addition to the final judgments proved to any of such rights including – without limitation – sale, donation, endowment and will.
2. All dispositions and final judgments establishing a right of the original real rights shall be registered.
3. All judgments and dispositions creating a right of the ancillary real rights or rights assigned from the title, or establishing the same, in addition to the final judgments proving or establishing such rights including – without limitation - pledge or mortgage or liens usufruct.
4. The real right established by inheritance shall be registered in the name of heirs, and any disposition made by the heir of any of such rights shall not be registered prior to registering the inheritance right, and the inheritance right registration can be limited to a part of the inheritance properties.
5. Lease contracts made for the utilization of a property shall be registered if they for more than four years, and notation may be made in the register upon a request of any person having a right or benefit in a lease contract of four years or less.
 - It is a condition in all dispositions to be made in Arabic, and signed by all parties and witnesses as legally established.
 - They may be made in two languages, one thereof is Arabic, and in this cases, the Arabic text only shall prevail.

Article (13) Sale & Purchase of Properties

The real estate properties sale and purchase operation is conducted pursuant to the following procedures and requirements:

1. The seller and purchaser, or their duly authorized representatives, shall appear before the Registrar for the purpose of concluding the contract.
2. The following documents shall accompany the sale transaction:

- a. The original copy of the title deed of the real estate property to be sold.
 - b. A copy of the ID and nationality instruments for both the seller and purchaser.
 - c. In case of a legal person, the commercial register certificate, the commercial license, and the official documents showing the legal form and nationality shall be supplied. All such documentations must be valid and effective as per the origins thereof. The proxy of the natural person or legal person shall supply a power of attorney duly authenticated and legalized, stating his authorization by the principal to undertake the transaction on the real estate property to be sold subject matter of the sale contract.
3. If the real estate property appraisal or assessment value is 20% greater or less than the approved real estate assessment or appraisal index, the registrar at the competent authority shall request the seller to procure an appraisal certificate of the real estate property.
4. A receipt indicating payment of the established fees.
5. Three copies of the sale contract shall be issued. The contract parties, or their duly authorized representatives, shall sign the same before the authenticator.
6. A copy of the sale contract shall be handed over to the seller and purchaser respectively. The third copy thereof shall be kept in the file of the real estate property subject matter of the sale.
7. The Department shall issue the title deed approved by the registrar or his duly authorized representative

Article (14) Capacity for Sale & Purchase Contracting

Without prejudice to the provisions of Law regulating the capacity for contracting, the following control shall be observed:

1. The seller must be of legal age, with no legal impediment minimizing his capacity, taking into consideration to apply the law relating to the capacity for contracting in respect of the buyer.
2. The custodian or guardian shall not dispose of the minor's property, as a disposition of transfer or creating a real right thereupon, except with a permission from the competent court.

Section (2)

Article (15) Division & Merger

Division or merger shall be made either by a request from the owner or owners if they several, or by judicial judgment, and the Competent Technical Authority shall assume considering fulfillment of technical conditions required based on its technical regulations for division and merger. In all cases, the ownership in floors, apartments, locations and common utilities shall be determined in

accordance with what is determined by the Executive Council in the Executive Regulation and decisions enforcing Law no. (19) of 2005 in the real estate ownership.

Section (3)

Article (16) Registration of Dispositions & Contracts by way of Proxy

1. If any disposition is requested to be registered by a proxy, it is necessary to make sure that the content of such contract or disposition required to be registered does not exceed the proxy limitations established by the power of attorney.
2. The power of attorney stated in general words with no specification of the legal disposition required to be registered shall authorize the attorney the power only in the management works, and it is necessary to have a special power of attorney in every disposition not considered as from the management works, specially in sale, mortgage, donations, reconciliation and acknowledgement. The special power of attorney shall not provide the attorney with any capacity except for performing the duties specified therein and the necessary matters resulting therefrom according to the nature of every disposition.
3. The attorney shall not contract with himself in the principal's name, except if so expressly stated in the power of attorney.
4. Powers of attorney issued inside the country must be authenticated for the principal's signature therein by the competent judicial authorities, while the powers of attorneys issued outside the country must be duly authenticated.
5. Legal personalities shall be represented by their attorneys authorized for that purpose in accordance with the laws, decrees, memorandums or articles of incorporation.

Article (17) Registration of Judgments of Sale

The judgments rendered by courts competent with the approval and authorization or sale and purchase shall be registered, and registration fees shall be collected based on the higher of property evaluation price at the time of registration, or on the amount stated in the court's judgment.

Article (18) Registration of Partial Sale

1. Every owner may sell any part of his property, and in such case the property ownership shall be registered in common among the owners.
2. In case the owner desires to divide the property and sell a specified part thereof, it is necessary for registering the sale contract to make such division based on what is stated in article (75) of this Regulation.

Section (4)

Article (19) Registration of Assignment)

The provisions of sale registration shall be applicable to assignment in respect of registration and fees.

Article (20) Registration of Exchange

1. Disposition by exchange can be made of any property and building constructed for certain purpose.
2. Registration of Exchange contract shall require fulfillment of the following conditions:
 - a. Obtaining approval of the concern department in the competent authority on such exchange. If the subject of exchange is a popular house, it is required to obtain the Executive Council;
 - b. Attendance in person of exchange parties or their legal representatives before the registrar. In case there are minor owners, it is required to obtain the competent court's approval on such exchange.
 - c. Payment of fixed fees of every property separated from the other, according to what is specified in the schedule attached to the Law.

Article (21) Registration of Inheritance Right

1. Judgments relating to the right of inheritance and distribution of estates shall be registered by a legal notice issued by the competent court, explaining the legal shares of the heir.
2. The right of inheritance registration application shall be submitted by a heir, or his representative or by a party concerned with such registration.
3. Right of inheritance registration and its judgments shall be exempted from fees.

Article (22) Registration of Gift or Withdrawal thereof

- It is permitted to dispose of the gift in any property included within the provision of article (10) of the Law.
- Registration of gift contract requires to fulfill the following conditions and procedures:
 1. Make sure that the gifted property is registered in the name of grantor.
 2. Verify that the property is free from such impediments and restrictions preventing transfer of ownership.
 3. Submit a declaration of gift or withdrawal thereof issued by a competent court attached to a letter addressed to the Department.
 4. The grantee shall be of those who enjoy the right of acquisition.
 5. With the exception of gift among ascendants, descendants and spouses, the gift shall be treated as sale, in respect of fees.
 6. Payment of fixed fees according to the fees schedule, and in this respect withdrawal of gift shall be treated as gift.

7. Notifying the competent authority to modify the property plan data from the grantor's name to the grantee' name.

Article (23) Registration of Mortgage

1. Mortgage on properties shall be registered in accordance with the following conditions and procedures:
 - Submission of three copies of the mortgage contract concluded between the property owner or holder of usufruct or Musataha right required to be mortgaged and the lien creditor explaining therein the property description, mortgage, degree of mortgage, amount of mortgage, debt settlement period.
 - Attendance of the two parties of contract or their legal representatives to sign the contract before the registrar.
 - In case either owners is a minor, it is required to obtain the competent court's approval on such mortgage.
 - Payment of fixed fees.
 - The same previous procedures shall be followed upon registering any appendix to a previously registered mortgage contract.
 - Redemption of mortgage requires the attendance of lien creditor or his legal representative, and submission of written consent to delete the mortgage note out from the mortgaged property register, and payment of fixed fees.
2. Modification of terms of mortgage contract or property subject of mortgage without increasing the mortgage amount shall require collection of the notation fee only. If the mortgage amount is modified, fees shall be collected for the difference between the registered mortgage amount and the new amount.
3. Several mortgages may be made on the same property, and such mortgages shall be registered in serial order based on precedence thereof.
4. In case of mortgaging the rights branching from the title to any financing party, no disposition shall be made of such rights except with the financing party's consent.
5. The party who has the usufruct or Musataha right for more than ten years, may, without the owner's permission, dispose thereof including mortgage, and the property owner shall not mortgage the same except with the consent of the holder of usufruct or Musataha right, and in both cases, the two parties may agree otherwise.
6. The parties to the contract or their legal representatives are excluded from appearing before the registrar in the case of electronic signature of residential real estate mortgage transactions related to citizen's housing loans financed by the Government of Abu Dhabi.

7. If one of the owners is a minor, the approval of the competent court of the mortgage must be attached.

Article (24) Registration of Leases of Properties Owned by the Government

Leases of properties owned by the government shall be registered upon the fulfillment of the following conditions:

1. Submission of three copies of lease contract signed and sealed by the concerned department in the Governmental competent authority.
2. Attendance of the tenant in person or his legal representative to sign before the registrar.
3. Payment of registration fees, and as for the contracts of four years and less, the notation fees only shall be collected.

Article (25) Registration of Leases Among Individuals

Leases for more than four years shall be registered as follows:

1. Submission of three copies of the lease contract.
2. Attendance of the landlord and tenant in person or their legal representatives to sign before the registrar.
3. Payment of registration fees, and as for the contracts of four years and less, the notation fees only shall be collected.

Article (26) Registration of Will

Declarations and judgments of the will shall be registered upon submission of two copies of the will confirmation instrument authenticated by the competent judicial authorities and payment of fixed fees.

Article (27) Registration of Attachment and Deprivation of Disposition

Register shall have a notation for provisional or executive attachment or deprivation of disposition of the property by an order of the competent court, and such notation shall be deleted only based on subsequent order for deletion of such notation of attachment or deprivation of disposition by the same court which rendered the order of provisional or executive attachment or deprivation of disposition upon payment of fixed fees.

Article (28) Registration of Popular Houses

1. One property cadastre shall be created in the register for every popular house whether designed for one or more persons, in which the house descriptions, location, rights, dispositions and modifications thereof shall be recorded.
2. Registration of popular house in the register shall depend on a land map approved by the Competent Technical Authority and the decision of house designation for the owner or owners.

3. Registration of popular houses and dispositions made thereupon shall be subject to all provisions set forth in this Regulation and the dispositions made upon the popular house shall not be registered except after obtaining the Executive Council's consent and submission of an undertaking from the citizen not to claim for compensation for what he disposed of.

Article (29) Registration of Apartments & Floors

Every apartment or common part of multi-apartments and -floors property shall constitute a single property, and each thereof shall have a property cadastre in the register, and the registrar shall issue special individual proprietorship certificate for every apartment or common part, taking into consideration that registration of apartments for natural or legal personalities who are not UAE nationals or non-GGC countries shall be limited to properties, apartments, floors, other than the ground floor, which are located within the investment areas. In all cases, the apartment's owner shall have the right to make any disposition thereupon.

Article (30) Registration of Original Real Right And Rights Branching from the title and Assignment thereof

1. Registration of original real right and rights branching from the title and assignment thereof shall be as follows:
 - a. Attendance of the property's owner or the holder of the right branching from the title (as the case may be) and buyer of such right or transferee or their representative by a power of attorney of which the signature are authenticated.
 - b. The registration transaction shall be accompanied by the following documents:
 - c. Original copy of title deed of the property or title deed of the right branching from the title.
 - d. Recent inquiry certificate issued for the purpose of registering the right branching from the title.
 - e. Land evaluation certificate authenticated by the registrar in accordance with the approved evaluation index.
 - f. Copy of ID cards and evidences of nationality for the owner or holder of right branching from the title (as the case may be) and for the buyer or transferee. If either party is a legal personality, it is necessary to submit the official documents explaining the legal status along with the nationality.
 - g. Payment of fixed fees according to the attached schedule.
 - h. Two copies of the contract of sale or assignment shall be issued and the two contracting parties thereto or their legal representatives shall sign the same before the notary.

- i. The Department shall issue the title deed branching from the title.
2. Registration of rights branching from the title outside the investment areas shall be according to what is determined by the Executive Council.

Article (31) Additional Provisions for Registration in Complexes

1. If disposition is made upon a property located within a complex in the Emirate, such disposition shall be registered only upon consent of the registrar or the legal personality in charge of management of such complex, in addition to that if such disposition would grant either contracting party an original real right or a right branching from the title, the buyer or transferee or the new beneficiary of the title or real right branching from the title upon submitting the registration application must submit an undertaking of his commitment to all provisions set forth in the common use declaration and any controls or instructions determined by the legal personality in charge of management of the complex and noted in the competent authority's register.
2. Title of common utilities may be registered in the name of owners' association.
3. Any disposition made upon a property located within a complex in the Emirate shall be registered only with the registrar in the Real Estate Registration Department in such Complex, and after payment of registration fees and submitting what indicates that the landlord is not indebted to the party in charge of management of such complex with any fees, expenses or compensation.

Chapter (5)

Article (32) Final Provisions Effects of Registration

1. Ownership of the property shall be transferred only by registration.
2. Failure of registration shall cause the rights not to be established, transferred, changed or removed, among the concerned parties nor in respect of others.
3. Effects of unregistered Dispositions shall be limited to personal obligations among the concerned parties.

Article (33) Evaluation

1. Property evaluation shall be by the registrar out from the estimation table approved by the Competent Authority's chairman, and the registration fees shall be collected based on the amount of such evaluation. The seller and buyer may agree on another price for sale, and in such case, the fees shall be collected based on the agreed upon price if it is higher than the fixed evaluation.
2. Property evaluation certificate shall be issued upon a request from the landlord, or upon a request from a competent or concerned authority after

payment of fixed fees. The concerned parties may complain of the evaluation decision before the Competent Authority's chairman, and the decision issued by him in this regard shall be final.

Article (34) Registration Fees

1. Fees due for dispositions shall be collected prior to registration or notation thereof in the register according to what is stated in the attached fees table. The fee shall multiply as the multiple dispositions preceding the disposition required to be registered.
2. The following dispositions shall be exempted from fees:
 - a. First entry of the property in the register in addition to the first entry of the popular house.
 - b. First entry of right of inheritance and provisions relating thereto.
 - c. Dispositions of the government. However, fees shall be collected for the dispositions made by the government for third parties.
 - d. Provision of the previous paragraph shall be applicable to the dispositions of any party exempted from fees pursuant to laws or decrees issued in respect of its establishment or by subsequent orders issued by competent authorities.

Article 35:

The head of the Department shall have the right to exclude any person or entity from the application of the provisions of these regulations for the public interest.