

### **Law No. 3 of 2005 regulating the Real Estate Register in the Emirate of Abu Dhabi**

We Khalifa Bin Zayed Al Nahyan, Ruler of Abu Dhabi, having considered:

- Law No.1 of 1974 concerning the Reorganisation of the Government Apparatus in the Emirate of Abu Dhabi, as amended;
- Law No.2 of 1971 concerning the National Consultative Council, as amended;
- Law No.11 of 1979 concerning Land Registration as amended by LawNo.5 of 1980; and
- The proposal made by the Chairman of the Executive Council of the Emirate of Abu Dhabi and the approval of the said Council thereof,

HAVE PROMULGATED 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:

The Emirate	means the Emirate of Abu Dhabi
The Relevant Department	means the Municipalities and Agriculture Department or any municipality which may be established in the future in the Emirate.
The Registrar	means the director of the Lands Registration Section of the Relevant Department.
The Property	means the various types of property, including the lands, buildings, installations and allocated property.
The Low Cost House	means the house designated for nationals -without consideration - in accordance with the applicable regulations of the Emirate.
The Transaction	means any transaction affecting the existing rights on the Property or which might create new rights thereon.

The Register	means the Property Register created accordance with the provisions of this Law.
The Document	means any conclusive judgement, order, contract or document which must or may be registered in accordance with the provisions of this Law.

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No.	Type of Disposition	Fee Amount
<b>First: Registration</b>		<b>Registration Fee Amount</b>

2	Grant	Shall be AED 2000 if the grant is between ancestors, descendants, spouses and corporate bodies to whom the grant is wholly owned, otherwise the grant shall be dealt as a sale transaction in respect of the charges.
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**Article 2**

There shall be established in each Relevant Department a section to be called "The Property Registration Section".

**Article 3**

For each section of the Property Registration Sections there shall be appointed a "Registrar" who shall, in respect of his duties, report directly to the head of the Relevant Department or his deputy. The Registrar shall be assisted by an adequate number of employees.

**Article 4**

The Property Registration Section shall have the following competences:

1. To create and maintain a property register.
2. To register any transaction relating to Properties.
3. To attest the signatures of the persons signing Documents required to be registered.
4. To keep the original copies of the Documents following completion of registration and to issue copies thereof to whom it may concern.
5. To issue search certificates with respect to a specific Property in accordance with the particulars recorded in the Register.

In the exercise of the aforesaid powers, the Registrar may refer to the Documents kept with the relevant bodies.

**Article 5**

It shall not be permitted to remove the original of any Document or any Register kept with the Registrar except by an order of a competent court to that effect.

**Article 6**

The registration of all Transactions effected on the Properties described in Article 10 of this Law which would create an original or subordinate real right or the transfer or the removal thereof, and also the conclusive judgements confirming such matter, in the Register kept for this purpose at the Relevant Department within whose jurisdiction the property is located; non-registration shall result in all the above rights being considered as having not been created, transferred or removed as between the relevant parties or with respect to others.

This provision shall apply to lease contracts with a term of more than four years. Unregistered Transactions shall not be relied upon nor shall they have any effect save for the personal obligations between the parties involved.

#### **Article 7**

Any person having a right or benefit in a lease contract of a term of four years or less, may apply to the Registrar to have such contract notated in the Register.

#### **Article 8**

Each Transaction evidenced by a Document ordered by a competent court to be registered shall be entered in the Register.

#### **Article 9**

The Property or the usufruct shall be registered in the names of the heirs following production by them of a legal notice and a confirmation evidencing the title deed or the usufruct.

#### **Article 10**

- Save for industrial lands and lands leased out by the Relevant Department, nationals may sell or purchase residential, commercial, investment or agricultural lands and buildings constructed for specific purposes and allocated to each of them as well as other Transactions, provided they do not alter the purpose for which the aforesaid Properties are designated.

- The ownership of Low Cost Houses shall be registered and transferred to nationals from persons to whom they were or are allocated and they shall not be allowed to dispose thereof without permission from the Executive Council. A national shall undertake in writing in respect of the aforesaid Property not to claim for any compensation in respect of any matter disposed of by him.

#### **Article 11**

Transactions relating to registration of inheritance shall be exempt from fees; similarly, the first registration of the Property upon allocation shall also be exempt.

The fees stipulated in the Schedule attached hereto shall be collected in respect of each subsequent Transaction registered. The fees may be amended by a decision of the Chairman of the Executive Council.

#### **Article 12**

In implementation of the provisions of this Law, the Relevant Department shall deal with the particulars recorded in the Registers in coordination with the bodies concerned.

#### **Article 13**

All Registers and Documents created or maintained in accordance with Law No.11 of 1979 as amended by Law No.5 of 1980 shall pass to the Registrar of the Relevant Department.

#### **Article 14**

- Any Transaction carried out in contravention of the provisions of this Law and the regulations and decisions issued in implementation thereof shall be deemed null and void.

- The Chairman of the Relevant Department shall issue the necessary decisions for the implementation of the provisions of this Law.

#### **Article 15**

Law No. 11 of 1979 concerning Registration of Lands as amended by Law No.5 of 1980 shall be repealed.  
Any Provision contrary to or in conflict with the provisions of this Law shall also be repealed.

**Article 16**

This Law shall be published in the Official Gazette and shall come into force from the date of its publication.

**[Signed]**

Khalifa Bin Zayed Al Nahyan

Ruler of Abu Dhabi

Issued by us in Abu Dhabi

On 05 March 2005 AD

24 Muharram 1426 Hijri