

Law No. 19 of 2005 Concerning Real Property

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

Having perused Law No (1) of 1974 reorganizing the Government Body in the Emirate of Abu Dhabi and the amending laws thereof;

Law No (2) of 1971 concerning the National Consultative Council and the amendments thereto;

Law No (2) of 1994 concerning the Letting of Premises and Regulation of the Relationship between Landlords and Tenants and the amendments thereto;

Law No (3) of 2005 regulating Real Property Registration in the Emirate of Abu Dhabi;

Federal Law No (5) of 1985 issuing the UAE Civil Transactions Law and the amendments thereto;

Federal Law No (10) of 1992 issuing the Law of Evidence in Civil and Commercial Transaction;

Federal Law No (11) of 1992 issuing the Civil Procedure Code;

Federal Law No (18) of 1993 issuing the Commercial Practice Code;

Emiri Decree No (33) of 1968 regulating the Renting of Lands for Building Purposes; and

Pursuant to the proposals submitted to the Abu Dhabi Executive Council and approved by it,

has issued the following law:

Article 1

In the application of the provisions of this Law, the words and expressions hereunder shall have the meanings set forth opposite each of them, unless the context of the provision indicates otherwise:

The Government	:	The Government of Abu Dhabi
The Emirate	:	The Emirate of Abu Dhabi
The Department	:	The Municipalities and Agriculture Department
The Municipality Concerned	:	The Abu Dhabi Municipality or Al Ain Municipality or any other municipality that may be established in the Emirate
The Real Properties	:	Allocated plots of land,

		buildings, installations, and real property
The Person	:	Any natural or corporate person
Investment Areas	:	Areas designated by a decision from the Executive Council
Principal Right in rem	:	Property title
Rights deriving from ownership	:	Usufruct, use, residence and musataha
Consequential Real Rights:	:	Mortgage, pledge and privilege
Disposal	:	Any transaction affecting the existing rights to the real property or charging new interests thereon, including without limitation, the sale and purchase of Real Properties, usufruct and mortgage transactions, and contracts of assignment in relation to any disposal of any real estate pursuant to the provisions of the Civil Transactions Law.
Usufruct	:	A right in rem which entitles its holder to use and exploit a premises belonging to a third party provided that it remains in its original condition. Usufruct may be assigned to a third party
Musataha	:	A right in rem which entitles its holder to build a building or to plant on a plot of land belonging to a third party.
Nationals	:	"National and Persons deemed to be Nationals: - Any individual who has a United Arab Emirates nationality pursuant to the applicable laws, and any company and establishment wholly owned by them. - The Federal Government of the UAE. - The Government, entities,

		corporations, establishments, funds, councils, authorities wholly owned by the Government."
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Article 2

Every property granted by the Government to a National, before or after the issuance of this Law, shall be his/her property and is therefore obligatory for the National to register the property title thereof. He/she shall also, within the boundaries of the law, have the right to use, exploit and dispose of the real property.

The Executive Council shall lay down the rules for transfer of ownership of Real Properties given out before the issuance of this Law.

Article 3

1. The right to own real estate property is reserved to:
 - a. UAE nationals and corporate and natural persons of equivalent status;
 - b. Public joint stock companies in which non-UAE nationals' shareholding does not exceed 49%;
 - c. Any person named in a resolution issued by the Crown Prince or Chairman of the Executive Council.
2. Non-UAE corporate and natural persons may own, acquire and dispose of all principal and accessory real rights over the real estate properties located within the investment areas.

Article 4

A holder of a usufruct or musataha right for a term exceeding ten (10) years may, without the owner's consent, dispose of such right, including by way of mortgage, and the owner of the real estate property may not mortgage the same, except with the consent of the holder of the usufruct or musataha right. In either cases, the parties may agree otherwise.

Article 5

The assignment by the holder of a usufruct, a musataha, or a right in rem of such rights shall not affect any of his obligations towards the landlord of the property in question unless they agree otherwise in the contract or document establishing such rights.

Article 6

Neither ownership of Real Estate nor other rights over it or derived from it shall be transferred, whether against the contracting parties or third parties except if such transfer is registered. Registration in accordance of [Law No. \(3\) of 2005](#) referred to above shall be conclusive evidence of ownership and rights created over it or derived from it and long term leases.

Article 7

Real Estate, the Usufruct or right of Musataha shall be registered in the name of the heirs provided that they submit a valid declaration of their right to inherit the estate of the owner of the Real Estate, the holder of the usufruct or Musataha right.

If it is established that one of the heirs is not a National in relation to registered real estate outside Investment Areas, the heirs or any one of them may collectively offer to buy the share of such heir at the market rate, failing agreement they may resort to the courts to obtain an order to sell the whole of such share or the entire Real Estate and to collect their share from the proceeds in accordance with the provisions of the law.

The Executive Order shall specify the terms and conditions relating to registration of ownership of real estate located within an Investment Area in the event of inheritance.

Article 8

No real property, usufruct or musataha or any other right in rem shall be expropriated unless for public interest or pursuant to the document establishing such right. Such expropriation shall be made for fair compensation and in accordance with the law.

Article 9

Industrial plots of land and those rented by the Department are freely owned by the Government and shall not be acquired by prescription. Nationals may purchase these plots of land in accordance with the requirements laid down by the Executive Council.

Article 10

Nationals may sell and purchase or otherwise dispose of residential, commercial, investment, agricultural plots of land and buildings established for a specific purpose that already allocated to them provided that the purpose of allocation shall not be changed.

Nationals may not dispose of houses granted to the public which are or will be allocated to them unless they obtain prior approval from the Executive Council.

Article 11

Executive regulations shall determine the requirements and conditions for the establishment and management of associations of owners or usufructuaries of multi-storey buildings or compounds of villas that comprise more than 10 units. The regulations shall also determine all affairs in relation to ownership, management, maintenance, operation and financing of the common elements and facilities in such properties including the financial obligations on the owners, occupants or usufructuaries and the powers of the owner or manager of the common elements and facilities.

Article 12

All Dealings relating to Real Estate including the terms and conditions of Musataha and Usufruct agreements referred to in this Law shall be subject to the provisions of this Law, the Executive Order and resolutions issued under it. Registration of such Dealings shall be subject to the [Law No. \(3\) of 2005](#) referred to above and the resolutions issued thereunder.

Article 13

The Executive Council shall issue executive regulations and decisions necessary for enforcing this Law.

Article 14

- Emiri Decree No 33 of 1966 regulating the renting of lands for building purposes shall be abrogated.
- Any other provision contrary to what is stated in this Law shall also be repealed.

Article 15

This Law shall be published in the Gazette and shall take effect from the date of publication thereof.