



DIFC WILLS AND PROBATE

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**The most important and
valuable thing in
life is family!**





- ◉ Quoting the **Website of Dubai Government** – “ **Since the UAE is a Muslim Country, all courts adhere to Sharia Laws in regard to inheritance in case of no wills. However as a result of the Personal Affairs Law (No. 28 of 2005) a Non-Muslim expatriate who is resident in the UAE can opt for the law of their Domicile Home Country to be applied to the distribution of their UAE Assets, provided they have a legally recognized will.**”
- ◉ **While Article 17 (5) states : “The law of the United Arab Emirates shall apply to wills made by aliens disposing of their real property located in the State.”**
- ◉ **Furthermore the Sharia Court of First Instance applies Article 2 of the UAE Civil Transactions Code, which states : “The rules and principles of Islamic jurisprudence shall be relied upon in the understanding, construction and interpretation of these provisions.”**



UNDERSTANDING HOW SHARIA LAW WILL AFFECT YOU AND YOUR

FAMILY-

- Assets will be frozen until all liabilities have been discharged;
- The wife and children qualify for only 1/8 of the state;
- Any joint assets shall also be frozen;
- There will also be issues regarding Guardians for the children to be resolved.



Stop assuming.

It's better to ask questions than to make assumptions.



WHAT HAPPENS IF YOU DIE WITHOUT A WILL IN THE UAE?

- Bank Accounts are frozen (Sharia Law)
- Visa's are cancelled (UAE/GCC Law)
- Home Country is informed of your death (International Law)
- The Shariah Law will apply to the distribution of the estate.
- Life Policies can be passed onto your estate instead to your family
- Any other Investments can be frozen/delayed
- Family disagreements in relation to the Estate
- Ex Partners (husband/wife) can stake a claim in your estate
- Properties in your home country will be distributed according to the Laws of the Home Country
- Children from any previous relationships could receive nothing.
- Potential Tax implications for the Estate up to 40%
- Partners if not married will receive nothing



WHAT HAPPENS IF YOU DIE WITH A LEGALISED WILL IN THE UAE?

- Speeds up the Process of distribution of your estate
- Legalized Will shall offer you protection.
- Giving autonomy to select whom you wish to administer your Estate and for distribution of your Estate.
- Life Policies can be passed to the people of your choice.
- Any and all Investments can pass to the people of your choice.
- Set up Exclusion clauses for your Ex Partners.
- Make a provision for children from any previous marriages.
- Reduce your tax bill considerably.
- Make a gift of money to a family member.
- Choose your own Executors.
- Make a provision for a Charity.



Reassure them.

A will brings security, reassurance and above all peace of mind - not just for you but for all those who depend on you either now or in the future.



APPOINTING GUARDIANS

Q. What happens to your children if you and your partner die?

- If you have not prepared for this, and there are disputes, Local Authorities of your home country and or the Dubai authorities can appoint Guardians
- You need to appoint both Interim & Permanent Guardians
- Making a provision for your guardians to look after your children

**A WILL IS THE ONLY DOCUMENT THAT ALLOWS YOU
TO APPOINT GUARDIANS TO PROTECT YOUR
CHILDREN'S FUTURE.**



Take control.

With a Will you get to leave exactly what you want and to whom you want; giving you control over what happens when you die.

PROTECTION VIA DIFC COURTS



◎ OBJECTIVE OF THE DIFC WILLS AND PROBATE REGISTRY (DWPR)

- Marks the introduction of a new set of rules relating to succession and inheritance matters for non-Muslim with assets in Dubai;
- Provide a mechanism for non-Muslims who have assets in Dubai to pass on their estates according to their wishes;
- Compliment existing UAE Laws on inheritance for non-Muslims, and provide them with the option and right to choose the way in which their estates are distributed;
- Be within the DIFC jurisdiction and will work with the DIFC Courts for the production of grants and Court orders for the distribution of assets;
- Will be the first jurisdiction in the MENA region where non-Muslims can register a Will under internationally recognized common law principles.
- By creating legal certainty for non-Muslim inheritance, will encourage capital investment in Dubai and support economic growth.

A woman with long red hair, wearing a white dress with a black floral pattern, is seen from behind. She is holding a paint roller and painting a large, solid blue shape onto a cloudy sky. The scene is set on a beach with the ocean in the background.

Plan your future.

We make it easy for you to plan for your future and that of your family whatever it holds.



THANK YOU