



DIFC WILLS
SERVICE CENTRE
مركز خدمة الوصايا

Updated DIFC Wills and Probate Registry Rules

Dear Testator,

We are pleased to share with you the new DIFC Wills and Probate Registry Rules, which have come into effect as of June 30, 2019.

There are two major changes to the Rules. Firstly, the Rules will no longer prevent the drafter from including assets which fall outside of Dubai and Ras Al Khaimah. However, you are recommended to seek appropriate legal advice in relation to the enforcement of a DIFC Will if including assets outside of the United Arab Emirates. Testators who wish to register DIFC Wills only for their Dubai and/or Ras Al Khaimah Estates may continue to do so. Kindly refer to the new *Form of Will 1* to ensure compliance with the minimum requirements for registering a Full Will as of June 30, 2019.

Kindly note, Guardianship Wills and guardianship provisions in a Full Will will continue to be valid only for minor children who are habitual residents of either Dubai or Ras Al Khaimah. In addition, the online template Wills (Financial Assets Will, Business Owners Will, and Property Will) will outline the jurisdiction to indicate "UAE Estate". There is no option to change this.

Secondly, the Authorised Officer/Probate Director will no longer be a second Witness to any of the Will signings as of June 30, 2019. It is imperative that Testators are aware that they now need to bring two (2) Witnesses to the Will signing. Witnesses must be at least 21 years old, with a valid photo ID.

Witnesses cannot be a Beneficiary or a Guardian (or a spouse of a Beneficiary or a Guardian) mentioned in the Will.

Moreover, in accordance to the existing Rules, the Wills Registry is not required to store hard copies of the registered DIFC Will though in the past the Testators could not take the hard copy with them. However, once the new Rules come into effect, Testators will have the option of taking the signed hard copy of the Wills with them once the Wills Registry has retained the electronic copy of the Will, which will be treated as the original Will. Otherwise, the Wills Registry will appropriately shred the documents after retaining the electronic copy of the DIFC Will.

If Testators who already have a registered DIFC Will would like to collect the signed hard copy of their Wills from our office, they may do so until December 31, 2019. After this date, we will be shredding all the hard copies filed at the Wills Registry. The original copy of the Will shall be retained by the Wills Registry in its electronic format. Kindly inform us by email (appointments@difcwills.ae) at least 2 days prior if you will be coming to collect your Wills so that we may keep the documents ready for you. Please note, only the Testator, or a lawyer with a POA, with a valid photo ID, may collect the Will from our office. The Will will not be given to anyone else.

Testators who already have a registered DIFC Will, but would like to extend the jurisdiction to reflect assets in other Emirates or global assets, will have the opportunity to amend their Wills at no additional cost between June 30 and August 29, 2019. Please note, these appointments must be made by email (appointments@difcwills.ae) **ONLY**. If the modification appointment is made through our website we will not be able to reimburse the fee paid online. Any modifications after August 29, 2019 will result in a fee of AED 550 +VAT and must be booked online through our website as usual.

Please find the new Rules on our website <https://difcwills.ae/probate-rules/> for your reference. The new Forms of Will are also available on the same page.