

The Dispute Resolution Authority
Order No. 1 of 2015
In Respect of the DIFC Wills and Probate Registry Rules

I, Michael Hwang, Head of the DRA, make the following Order:

In exercise of the powers conferred on me by Article 5 (b) of Dubai Law (7) of 2014 establishing ancillary tribunals and establishments of the Dispute Resolution Authority;

and

following a one-month public consultation period

and

after having reviewed:

1. The Dubai Law (7) of 2014 (“Dubai 7/2014”) Article (8) (1) (c) in respect of the Dispute Resolution Authority;
2. The Dubai Law (7) of 2014 (“Dubai 7/2014”) Article (3) in respect of duties and powers of the Dispute Resolution Authority;
3. Resolution (4) of 2014, issued by His Highness Sheikh Maktoum bin Mohammed bin Rashid Al Maktoum, President of the Dubai International Financial Centre (DIFC) in exercise of the powers conferred on him by Article 8 of Dubai Law (9) of 2004 (as amended by the Dubai Law (7) of 2014, and the Law on the Application of Civil and Commercial Laws in DIFC 2004 (1). The Resolution 4 of 2014, by approving the establishment of the DIFC Wills and Probate Registry for non-Muslims as an ancillary body of the DRA, and in respect of granting the powers to the Head of the DRA to set out the duties, powers and the structure of the DIFC Wills and Probate Registry, as set out in Article 2;
4. DIFC Law 3 of 2004, Part 2, Article (8) in respect of the application of laws, including DIFC law.

5. Dubai Law 16 of 2011, Article (5) (A) (1), in respect of the exclusive jurisdiction of the Court of First Instance of the DIFC Courts;

6. Dubai Law 16 of 2011, Article 6 in respect of the Governing Law;

7. Having set the General Powers of the DIFC Wills and Probate Registry, as set out in the Rules of the DIFC Wills and Probate Registry (“WPR Rules”) Part 2 Article (8), which shall read as follows:

“PART 2: The Registry, the Registrar and the Court

8. General powers of the Registry, the Director and the Court

A. There shall be established a Registry to be known as “The DIFC Wills and Probate Registry”.

B. The function of the Registry shall be the administration of Wills and Probate of the persons to whom it applies.

C. The Registry shall refer all matters requiring adjudication arising in the administration of the Estate and the issue of Grants, to the Court.

D. The Registry shall be under the management of a Director who shall be appointed by the Head of the DRA.

E. The Director shall have power to do all things necessary or convenient for the purpose of carrying out the function of the Registry and such other powers as may be conferred on him by or under these Rules or DIFC law.

F. All Grants, orders and other documents issued under these Rules shall be:

a.in the name of the Court;

b.under the seal of the Court; and

c.signed by a Judge or a Court Officer acting with the authority of the Court.”

By this Order, I issue the attached DIFC Wills and Probate Registry Rules. The DIFC Wills and Probate Registry Rules may be cited as “DIFC WPR Rules”. It shall be reflected in the online version publication of the DIFC WPR’s, by April 29, 2015.

Subject to this Order, the Rules shall have effect in relation to all proceedings in the Court of First Instance and the Court of Appeal of the DIFC Courts, insofar as the Probate matters to which the Rules relate, are within the jurisdiction of the Courts and should be read in conjunction with Part 55 of the Rules of the Courts (RDC).

Michael Hwang

Head of the DRA

Issued: April 29, 2015