

Law No.7/2006 Concerning Land Registration in the Emirate of Dubai

We, Mohammed bin Rashid Al Maktoum, Ruler of Dubai

Having considered the Federal Law No. 5/1985 promulgating the Civil Transactions Law and its amendments;

the Federal Law No 11/1992 promulgating the Civil Procedure Law and its amendments;

the Local Law No 7/1997 concerning Land Registration Fees; and

the Local Decree concerning the Formation of Land Affairs Committee of the year 1960;

do hereby promulgate the following Law:

Chapter One **Title and Definitions**

Article (1)

This Law shall be cited as "The Land Registration Law of the Emirate of Dubai (No 7/2006)".

Article (2)

In this Law, the following words and terms shall have the respective meanings assigned to each of them, unless the context requires otherwise:

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| The UAE : | the United Arab Emirates. |
| The Emirate: | the Emirate of Dubai. |
| The Government: | the Government of Dubai including any of its Departments, Authorities or Public Corporations. |
| The Ruler : | His Highness The Ruler of the Emirate of Dubai. |
| The Department: | the Department of Lands and Properties. |
| The Head: | the Head of the Department. |
| The Director: | the Director General of the Department. |
| Land | anything of a permanently fixed nature which cannot be removed without damaging or altering its form. ¹ |
| Rights over Land: | any principal or accessory rights over Land. |

¹ The original Arabic word is "'aqār" which literally means immovable, the equivalent of French immeuble. The underlying concept of "landed property" may also be expressed by the term "real estate".

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| Land Register: | a collection of records kept by the Department in written or electronic form in an electronic register, detailing the description of the registered Land, its location and the rights over it. |
| Land Unit: | any plot of Land and all that is located thereon such as buildings, plants or otherwise, situated in one Land Area without being separated from its other parts by any public or private property and without any part of it having a right or an encumbrance which its other parts do not have. |
| Land Area: | a group of Land Units demarcated by principal roads or fixed and clear signs with an accredited name and a distinctive number in accordance with the practice of the Department. |
| Person: | a natural or a legal person. |

Chapter Two

Scope of Application and Right of Ownership

Article 3

This Law shall apply to Land situated in the Emirate.

Article 4

The right to own Land in the Emirate shall be restricted to citizens of the United Arab Emirates, citizens of the Cooperation Council for the Arab States of the Gulf, the companies totally owned by any of the foregoing, and public joint stock companies. Foreign Persons may, subject to the approval of the Ruler, be granted in certain areas the following rights:

- (a) The right to acquire absolute ownership of Land without restrictions as to time.
- (b) The right to acquire usufruct or leasehold of Land for a period not exceeding 99 years.

Chapter Three

General Provisions

Article (5)

The originals of documents and judicial decisions in pursuance of which registration is made shall be kept in the Department, and shall not be moved outside its premises. Interested parties, judicial authorities or experts appointed by them, as well as competent committees may have access to such originals and obtain a certified copy thereof in accordance with the provisions of this Law.

Chapter Four

Jurisdiction of the Department

Article (6)

The Department shall have exclusive jurisdiction to register the rights over Land and the leaseholds mentioned in Article 4 of this Law. For this purpose, the Department may do any of the following:

- (1) determine the areas to be surveyed or re-surveyed and certify the maps drawn therefor;
- (2) prescribe rules in relation to surveying and inspection, as well as in relation to issuance of maps relating to Land Units;
- (3) prepare model forms of contract relating to real estate transactions;
- (4) prescribe rules concerning organizing, archiving and destruction of documents;
- (5) prescribe rules in relation to using computers in storing and recording data;
- (6) lay down rules in relation to regulating and keeping a register of real estate brokers;
- (7) prescribe rules in relation to evaluating Land;
- (8) lay down rules in relation to voluntary sales of Land by public auction and supervision of such sales;
- (9) determine the fees payable for services rendered by the Department; and
- (10) establish branches of the Department as the Director may deem appropriate.

Chapter Five **The Land Register**

Article (7)

A Land Register shall be maintained in the Department to record all rights over Land and any changes that might take place in respect of them. This Register shall be conclusive evidence against all and everyone unless it is proved to be the result of fraud or forgery.

Article (8)

Subject to the provisions of Article (7) of this Law, all electronic records shall have the same weight of evidence as that of their hard copy written originals.

Chapter Six

Registration

Article (9)

All transactions that create, transfer, change or cancel rights over Land shall be recorded in the Land Register and final judgments confirming those transactions shall also be likewise registered. No transaction shall have any effect unless registered in the Land Register.

Article (10)

Any undertaking to transfer a Right over Land shall be limited to an obligation to pay compensation if the obligor is in breach of his undertaking, whether the undertaking contains a provision to pay compensation or not.

Article (11)

If the estate of a deceased contains Rights over Land then the certificate of inheritance shall be registered in the Land Register and disposals by any heir of any of these rights shall not be effective or recognized against third parties unless registered in the Land Register.

Article (12)

The Department may for the purpose of settlement entertain applications for registration submitted by Persons in possession of Land that is not registered in their names.

Chapter Seven

Alterations or Corrections of Records in the Register of Land

Article (13)

The Department may, on the application of an interested party or on its own initiative with notification to those concerned, correct clerical errors in the records of the Land Register.

Article (14)

In co-ordination with the relevant authorities, the Department shall update its records of Land Units and of what is located thereon such as buildings, plants or otherwise.

Chapter Eight

The Maps

Article (15)

- (1) For the purpose of the registration of Land Units and Land Areas, the following maps shall be relied upon:
 - (a) typographic master map;
 - (b) map of Land Unit; and
 - (c) map of Land Area.
- (2) Each Land Area shall have its own separate map indicating the Land Units located on it and the numbers thereof.
- (3) Each Land Unit shall have its own separate map indicating its site, boundaries, width and length, area, its features, constructions located on it and the numbers given for its neighboring units.

Chapter Nine

Dividing and Merging

Article (16)

If the dominant Land Unit is divided up, the right of easement shall remain in existence in favour of each part of it, provided that that does not increase the burden to the servient Land Unit. However, if the right benefits only some of such parts, the owner of the servient Land Unit may apply to the Department for the termination of the right in respect of the other parts.

Article (17)

If the servient Land Unit is divided up, the right of easement shall remain in existence over each part of it. However, if the right is not in fact used over some of such parts, and it is not possible to use it over those parts, the owner of each part thereof may apply to the Department, in accordance with the provisions of this Law, for the termination of the right in respect of his part.

Article (18)

Easement rights cease to exist by the acquisition of the dominant and servient Land Units by the same owner.

Article (19)

If a Land Unit which is encumbered by an accessory Right over Land is divided into two or more Land Units, then each such new Land Unit will be encumbered by the whole accessory Right over Land. The new owners may agree with the beneficiary of the accessory Right over Land for the division of it in such way so that each new Land Unit will be encumbered by only part of it, to be determined by mutual consent.

Article (20)

If two Land Units merge and one of them is encumbered by an accessory Right over Land while the other is not, then the accessory Right over Land shall extend on the whole of the new Land Unit without the approval of the merger by the beneficiary of the accessory Right over Land. However, if each of the two Land Units is encumbered by an independent accessory Right over Land, then the beneficiary of each such accessory Right over Land must approve the merger.

Article (21)

Any alteration in the Land Unit by dividing or merging shall be registered in the Land Register.

Chapter Ten Ownership Documents.

Article (22)

The Department shall issue documents relating to Rights over Land on the basis of the actual records of the Land Register.

Article (23)

Without prejudice to the provisions of any other law, apartment buildings and multi-story buildings shall be treated as a single Land Unit and shall have one record in the Land Register to be supplemented by records stating the names of the owners of the apartments, stories and common parts.

Article (24)

- (1) Ownership documents mentioned in Article (22) of this Law are conclusive evidence of the Rights over Land contained therein.
- (2) In the Land Unit record shall be set out any conditions, promises or restrictions concerning Rights over Land and other obligations.

Chapter Eleven Final Provisions

Article (25)

Provisions of the Federal Civil Transactions Law No. 5/1985 and its amendments shall apply to all matters not provided for by this Law.

Article (26)

- (1) Any agreement or transaction made contrary to the provisions of this Law shall be null and void, as shall also be null and void any agreement or disposal made with the intention to contravene the provisions of this Law

- (2) The nullity of such agreement or disposal may be invoked before the Court by every Person having an interest, as well as by the Department, or the Public Prosecution, and such nullity may also be ordered by the Court on its own initiative.

Article (27)

The Decree dated 6 November 1977 concerning Civil and Criminal Cases in Respect of Transactions Relating to Disposals of Lands in the Emirate of Dubai shall be repealed.

Article (28)

The Head of the Department shall issue all the necessary regulations, decisions, orders and instructions for the implementation of the provisions of this Law.

Article (29)

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

**Mohammed bin Rashid Al Maktoum
Ruler of Dubai**

Issued in Dubai on:

13 March.2006 AD
13 Safar 1427 AH