

Have assets in Dubai? Draft will at DIFC office



LEGAL VIEW Ashish Mehta

I am a non-Muslim Indian working in Abu Dhabi. I own a residential apartment in Dubai and living there. I have cars and other investments in the UAE. Can I can draft the will, get it attested by the Indian Embassy in Abu Dhabi and then get it notarised. Is this correct as per the UAE law?

Pursuant to your queries, in the UAE there are provisions for non-Muslims to opt for law of their country related to the personal affairs regarding marriage, wills and inheritance. Article 1(2) of the Federal Law No. 28 of 2005 con-

cerning personal status allows an expat non-Muslim to apply the provision of personal law of his home country.

It states: "The provisions of this law shall apply to the residents/citizens of the UAE unless the non-

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Muslims of them are subject to special provisions applicable to their sect and denomination, as long as none of them insists on applying his law."

Since your immovable property is in the emirate of Dubai, it is suggested to register a will with the DIFC Wills and Probate Registry, which was set up in Dubai in 2015 to serve the needs of the non-Muslim expatriate community who own a real estate property in Dubai.

You are a non-Muslim who owns a real estate property in Dubai, therefore you may register your will with the DIFC Wills and Probate Registry. Alternatively, you may get your will attested by a Notary Public or Consulate General of India in Dubai.

Help! Buyer fled

I had rented a shop in Sharjah with a contract valid from April 2015 to April 2016. I found a buyer and transferred the trade licence to the buyer's name. Later, I came to know that the company filed a case against me at the Sharjah Tenancy Dispute Centre. I got to know that the buyer had fled without paying the rent. Please help!

You have not mentioned whether you sold your shares in the business entity to another person or if you transferred the tenancy of the shop to the company of the person who bought the shop from you. It is assumed that the tenancy contract for the shop was in the name of your business entity. In case you

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sold your shares in your business entity to another person, then it is the responsibility of the business entity to pay the rent to the owner of the shop. In case you sold the shop alone and the new tenancy contract was issued in the name of another business entity, then it is the responsibility of the new tenant to pay the rent. In both cases, the

tenant is a legal entity and not you or the new tenant personally. Therefore, a claim should be filed by the owner of the shop against a legal entity. You may present the documentary evidence available with you to prove to the Sharjah Tenancy Dispute Centre, which prove that you are not the tenant and therefore the complaint should not be against you

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