

Husband not liable for employed wife's health insurance coverage



LEGAL VIEW
ASHISH MEHTA

Q: My wife is under my sponsorship. However her employer bears the cost towards her health insurance coverage. Do I have to provide her health insurance? Will I incur any fine at the time of visa renewal?

A: Pursuant to your queries, we assume that you are based in the emirate of Dubai and therefore the residents are governed by Law No. 11 of 2013 Concerning Health Insurance in the Emirate of Dubai. It is the responsibility of the sponsor to provide health insurance to his dependents who are on his or her sponsorship. This is in accordance with Article 11 Of 2013 Concerning Health Insurance in the Emirate of Dubai, which states: "The sponsor shall be obliged of the following:

1. Cover the persons sponsored thereby if they have not been covered by the employer thereof;
2. Bear the cost of such health insurance coverage rather than making the

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beneficiaries bear such costs.

3. Verify that the health insurance of the persons sponsored thereby is valid for the length of their residence or visiting period.

4. Bear the health services and medical intervention costs in emergencies for any of the persons sponsored thereby if any of them has no health insurance in accordance with the provisions of this Law.

5. Give the persons sponsored thereby the health insurance card.

6. Provide the health insurance policy upon the residence or visiting issuance or renewal of the persons sponsored thereby."

7. Any other obligations specified by the Authority pursuant to the resolutions issued thereby in such concern."

If the employer of your wife provides medical insurance to your wife you are not required to provide another health insurance cover and therefore no fines should be levied.

Can broker charge for viewing of properties?

Q: I am interested in purchasing a property in Abu Dhabi. My property agent wants me to sign a letter of undertaking (LoU) before he arranges the viewing of properties. One of the clause in the LOU prevents me from approaching

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other real estate agents for the same property arranged by this agent. It states: "Should you subsequently purchase any property as a result of these introductions, ABC PROPERTY will be eligible for the agency fee of 2 per cent of the purchase price as set out in this agreement. For the avoidance of doubt this fee will remain due should you subsequently decide to correspond directly with the landlord or any other property company in relation to the same property, after an initial introduction facilitated by ABC PROPERTY." Is this legal?

A: A broker is eligible for brokerage only once he completes all his work in accordance with Article 7(6) of Law No. 3 of 2015 Concerning the Regulation of the Real Estate Sector in the Emirate of Abu Dhabi, which states: "The broker shall not be entitled to any remuneration or commission for his broker service unless such service led to the conclusion of a contract between the parties. The

contract shall be considered as having been concluded when both parties agree on all the substantive issues in the contract. The broker shall be entitled to his remuneration once the contract is concluded, even if it was not executed, unless otherwise agreed."

Further, all contracts between client and real estate broker are approved by the department of municipal affairs, Abu Dhabi. Therefore it is recommended that you approach them and verify the contents of the LOU. Article 7(1) of Law No. 3 of 2015 Concerning the Regulation of the Real Estate Sector in the Emirate of Abu Dhabi, states: "The broker shall commit to conclude a written brokerage contract on the form approved by the department before carrying out any work for the party with whom the contract is concluded, and shall submit such contract to the Department in order to register it in the real estate development register before receiving any amounts from the client, and within a maximum of (15) fifteen days from the date of signing the said contract."

Ashish Mehta is the founder and Managing Partner of Ashish Mehta & Associates. He is qualified to practise law in Dubai, the United Kingdom, Singapore and India. Full details of his firm on: www.amalawyers.com. Readers may e-mail their questions to: news@khaleejtimes.com or send them to Legal View, Khaleej Times, PO Box 11243, Dubai.