

# Exemption from automatic visa cancellation possible



**LEGAL VIEW**  
ASHISH MEHTA

**I stay in Abu Dhabi and hold an Abu Dhabi visa. I brought my wife to the UAE in March last year under my sponsorship, and her residence visa validity is until March 2015. We went for a short vacation in October last year. I came back after a week and she was planning to come back after two months. However, on learning that she is pregnant, we decided that she would come back after delivery which would be by the end of June. That means she will be outside the UAE for more than six months. Is it possible to prevent her residence visa being automatically cancelled? If yes, how?**

It is understood that your wife, further to her pregnancy, has chosen to stay outside the UAE for a continuous period of over six months, and is planning to return to the UAE in June or July this year. However, by that time she would have stayed outside the UAE for more than six months.

As per the laws regulating residence visas in the UAE, a residence permit becomes invalid if the holder of the visa stays outside the country for a continuous period of more than six months.

However, it is possible to prevent the invalidation of a residence visa even if the holder stays outside the UAE for more than six months or 180 days continuously, provided the visa is still within its period of validity.

In order to get this exemption

from automatic invalidation of residence visa, the sponsor of the visa may apply to the General Directorate of Residency and Foreigners' Affairs and obtain a letter from the General Directorate of Residency and Foreigners Affairs (GDRFA) which will not invalidate the visa and will permit the visa holder to re-enter the UAE. The applicable cost charged by GDRFA is Dh100 for each month of stay outside the UAE after completion of six months of continuous stay outside the UAE. The approval for the exemption is strictly at the discretion of GDRFA. Pursuant to the above procedure you may proceed accordingly.

#### **Depositing Emirates ID before entering any premises**

**I was recently visiting a friend at his apartment. At the reception, the security asked me for my ID and I showed him my Emirates ID. He later asked my friend on the intercom and the latter confirmed he was expecting me. All this was fine and I appreciate the security. After this the security guards insisted that I leave my Emirates ID with them. I told them I would leave my company ID but not my Emirates ID as I believe that the Emirates ID is a personal identification document just like a passport and should not be handed over to anyone apart from government officials. The guards, however, would not relent and I was forced to leave my Emirates**

**ID with them without even issuing a receipt for the same.**

**I would like to know if it is legal for building security personnel to keep important documents like Emirates ID cards.**

Pursuant to your question, it may be advised that, as a matter of practice in Dubai and generally elsewhere in the UAE, individuals who may come to visit a private residential building or any building or premises, may be asked to temporarily hand over their identification documents before they are allowed to enter the premises, as a security measure.

The said identification document is to be returned as the individual leaves the building or premises. The procedure, as such is adopted as a security measure and to ensure that proper records are maintained for all individuals who visit the premises.

In this regard it may be noted that, documents like Emirates ID, driving licence and Ministry of Labour ID are taken to be more credible documents for identification of the individual, in comparison to an identity card issued by one's employer. This is because, identifica-

tion documents issued by government agencies in the UAE contain more detailed information regarding the individual which, as a matter of fact, include records of one's fingerprints, retina-iris scan and other relevant records. An identity card issued by a private employer may not contain such details, and further, a private employer may not have proper facilities to hold records of its employees.

The maintenance of records is required for the purpose of tracing an individual, if required. Which is why, building security personnel would rather ask for the Emirates ID than an identity proof issued by a company.

However, to prevent misuse of one's identity document, an individual has the right to receive or ask for a token or an acknowledgement of receipt from the security officers, after he hands over any identity document.

Therefore, while security agencies are within their rights to hold identification documents of visitors, it is also prudent for the visitors to ask for a receipt or token for the same.

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