

The Dispute Resolution Authority

Practice Direction No. 5 of 2017

The DIFC Wills and Probate Registry's Fees

Citation, commencement and interpretation.

In exercise of the powers conferred on me by Article 8 section (3) of Dubai Law No. 9 of 2004, as amended, and Rule 7 of the DIFC Wills and Probate Registry Rules, I, Dr. Michael Hwang SC, Head of the DIFC Dispute Resolution Authority, issue the following Practice Direction after having reviewed the DIFC Wills and Probate Registry Rules and DIFC Dispute Resolution Authority Practice Direction 4 of 2017 – The DIFC Wills and Probate Registry's Fees.

1. The attached Schedule 1 of this Practice Direction prescribes the fees of the DIFC Wills and Probate Registry that will come into effect on the date of signature. These fees replace those prescribed in the Dispute Resolution Authority's Practice Direction 4 of 2017 – The DIFC Wills and Probate Registry's Fees. This Practice Direction may be cited as **Practice Direction 5 of 2017 – The DIFC Wills and Probate Registry's Fees** and may be abbreviated to **PD 5/2017**.

The following shall apply:

2. In this Practice Direction -
- (a) a fee referred to by number means the fee so numbered in Schedule 1 to this Practice Direction.
 - (b) "Authorised Service Provider" means any entity that is authorised and regulated by agreement with the DIFC WPR to register a Will at the DIFC WPR in accordance with the DIFC WPR Rules.
 - (c) "DIFC WPR" means the DIFC Wills and Probate Registry.
 - (d) "DIFC WPR Rules" means the DIFC Wills and Probate Registry Rules.
 - (e) "Director" means the Director of the DIFC WPR appointed by the Head of the DRA.
 - (f) "DRA" means the Dispute Resolution Authority, as defined in Dubai Law No. 7 of 2014.
 - (g) "Grant" means a grant of probate or grant of administration (with will annexed).

Fees to be taken.

3. The fees set out in column 2 of Schedule 1 to this Practice Direction shall be taken in the DIFC WPR in respect of the items described in column 1 in accordance with and subject to any directions specified in column 1.

4. An Authorised Service Provider may, subject to the terms of its agreement with the DIFC WPR, offer to the public the registration services specified in column 1 of Schedule 1 to this Practice Direction at fees lower than those specified in column 2 of Schedule 1 to this Practice Direction.

5. The fees set out in column 2 of Schedule 1 to this Practice Direction are all administrative fees and are payable in United Arab Emirates Dirham (AED) or their equivalent in other currencies at the applicable conversion rates as determined by the DIFC WPR from time to time.

6. The fees set out in column 2 of Schedule 1 to this Practice Direction are stated exclusive of value-added tax or other taxes or duties as may be imposed by the Federal Government of the UAE from time to time.

7. Payments may be made by using the DIFC WPR's payment facility. Cash payments can also be made in person only at the DIFC WPR. Visit the DIFC WPR's website or contact info@difcprobate.ae for further information.

Discounts.

8. The Director shall have the discretion to discount or waive any registration fee as specified in column 2 of Schedule 1 to this Practice Direction from time to time as he may think fit.

Exemptions, reductions, remissions and refunds.

9. Where it appears to the Head of the DRA that the payment of any fee prescribed by this Practice Direction would, owing to the exceptional circumstances of that particular case, involve undue financial hardship, he may reduce or waive the fee in that case.

10. (1) Subject to sub-paragraph 10(2) below, where a fee has been paid but would, if the Head of the DRA had been aware of all the circumstances, have been waived or reduced under paragraph 9 above, the fee or the amount by which the fee would have been reduced shall be refunded.

(2) No refund shall be made under sub-paragraph 10(1) above unless the party who paid the fee applies within 1 month after paying the fee.

Dated this 5th day of October 2017

Dr. Michael Hwang SC

Head of the Dispute Resolution Authority

SCHEDULE 1: FEES TO BE TAKEN

Column 1 Number and description of fee	Column 2 Amount of fee
Registration Fees – Form of Will 1	
1. Registration of a single will in accordance with Form of Will 1 (as set out in Schedule 1 of the DIFC WPR Rules).	AED 10,000
2. Registration of two mirror wills by spouses in accordance with Form of Will 1 (as set out in Schedule 1 of the DIFC WPR Rules).	AED 15,000
Registration Fees – Form of Will 2	
3. Registration of a single will in accordance with Form of Will 2 (as set out in Schedule 1 of the DIFC WPR Rules).	AED 5,000
4. Registration of two mirror wills by spouses in accordance with Form of Will 2 (as set out in Schedule 1 of the DIFC WPR Rules).	AED 7,500
Registration Fees – Form of Will 3	
5. Registration of a single will in accordance with Form of Will 3 (as set out in Schedule 1 of the DIFC WPR Rules).	AED 7,500
6. Registration of two mirror wills by spouses in accordance with Form of Will 3 (as set out in Schedule 1 of the DIFC WPR Rules).	AED 10,000
Registration Fees – Form of Will 4	
7. Registration of a single will in accordance with Form of Will 4 (as set out in Schedule 1 of the DIFC WPR Rules).	AED 5,000
8. Registration of two mirror wills by spouses in accordance with Form of Will 4 (as set out in Schedule 1 of the DIFC WPR Rules).	AED 7,500
Registration Fees – Form of Will 5	
9. Registration of a single will in accordance with Form of Will 5 (as set out in Schedule 1 of the DIFC WPR Rules).	AED 5,000

10. Registration of two mirror wills by spouses in accordance with Form of Will 5 (as set out in Schedule 1 of the DIFC WPR Rules).	AED 7,500
Will Modifications	
11. Modification of any Will made in accordance with Form of Will 1, Form of Will 2, Form of Will 3, Form of Will 4 or Form of Will 5 (as set out in Schedule 1 of the DIFC WPR Rules).	AED 550
Other Fees	
Inspection	
12. On inspection of any will or other document retained by the DIFC WPR (in the presence of an authorised officer).	AED 375
Withdrawal of Will	
13. On the withdrawal of any will or other document retained by the DIFC WPR (in the presence of an authorised officer).	AED 0
Application for a Grant	
14. On an application for a Grant or an order of guardianship other than on an application to which a special application fee applies as listed at 15 below.	AED 5,500
Special applications	
15. For a duplicate or second or subsequent Grant (including one following a revoked Grant) in respect of the same deceased person.	AED 1,900 + any applicable DIFC Courts' fee
Notification	
16. On an application for or relating to the issue of a notification to accept or refuse or take a Grant or to prove a will by probate claim.	AED 2,200 + any applicable DIFC Courts' fee
Objection	
17. For the entry or the extension of an objection.	AED 2,200 + any applicable DIFC Courts' fee

<p>Search</p> <p>18. On an application for a standing search to be carried out in an estate, for each period of six months including the issue of a copy Grant and will, if any (irrespective of the number of pages).</p>	<p>AED 1,500</p>
<p>Copy documents</p> <p>19. On a request for a copy of any document whether or not provided as a certified copy:</p>	
<p>(a) for the first copy.</p>	<p>AED 7</p>
<p>(b) for every subsequent copy of the same document if supplied at the same time.</p>	<p>AED 3</p>
<p>(c) where copies of any document are made available on a computer disk or in other electronic form, for each such copy.</p>	<p>AED 165 (including a USB stick)</p>
<p>(d) where a search of the index is required, in addition to fee 19(a), 19(b) or 19(c) as appropriate, for each period of 4 years searched after the first 4 years.</p>	<p>AED 240</p>
<p>Determination of costs</p> <p>20. For determining costs</p>	<p>The same fees as are payable from time to time for determining costs under Part 40 of The Rules of the Dubai International Financial Centre Courts 2014</p>