

The Dispute Resolution Authority

Practice Direction No. 1 of 2015

The DIFC Wills and Probate Registry's Fees

Citation, commencement and interpretation

This Practice Direction is issued pursuant to the powers conferred by Rule 7 of the Draft DIFC Wills Probate Registry Rules.

1. This Practice Direction will come into effect on the date of issue. It may be cited as Practice Direction 1 of 2015 — DIFC Wills and Probate Registry's Fees and may be abbreviated to PD 1/2015.

The following fees schedule shall apply:

2. In this Practice Direction—

(a) a fee referred to by number means the fee so numbered in Schedule 1;

(b)“value” means the value of the net immovable and movable estate passing under the grant as shown in the [application form or witness statement] leading to the grant;

(c)“grant” means a grant of probate or grant of administration (with will annexed);

(d)“the Registry” means the DIFC Wills and Probate Registry.

Fees to be taken

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

Exemptions, reductions, remissions and refunds

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

5. (1) Subject to sub-paragraph (2), where a fee has been paid but would, if the Head of the DRA had been aware of all the circumstances, have been remitted or reduced under paragraph 3, the fee or the amount by which the fee would have been reduced shall be refunded.

(2) No refund shall be made under paragraph (1) unless the party who paid the fee applies within [6] months of paying the fee.

(3) The Head of the DRA may extend the period referred to in paragraph (2) if there is good reason for an application being made after the end of the period of 6 months.

Dated this 29th day of April 2015

Michael Hwang

Head of the Dispute Resolution Authority

SCHEDULE 1: FEES TO BE TAKEN

Column 1 Number and description of fee	Column 2 Amount of fee
Execution (Registration) of a DIFC will before a registry officer (Form 1) 1. On the execution and witnessing of a DIFC will before a registrar at the registry	AED 10,000
Modification of a DIFC will before a registry officer (Form 1 and Form 2) 2. On the execution and witnessing of a modified DIFC will before a registrar at the registry (considered a new will)	AED 550
Simultaneous execution (Registration) of two Mirror DIFC Wills (by spouses) before a registry officer (Form 1) 3. On the execution and witnessing of two mirror DIFC wills before a registrar at the registry.	AED 15,000
Execution (Registration) of a DIFC Guardianship will before a registry officer (Form 2) 4. On the execution and witnessing of a DIFC Guardianship will before a registrar at the registry	AED 5,000
Execution (Registration) of two Mirror DIFC Guardianship Wills (by spouses) before a registry officer (Form 2) 5. On the execution and witnessing of two mirror DIFC Guardianship wills before a registrar at the registry	AED 7,500
Inspection 6. On inspection of any will or other document retained by the registry (in the presence of an authorised officer)	AED 375
Withdrawal of Will 7. On the withdrawal of any will or other document retained by the registry (in the presence of an authorised officer)	AED 0

Column 1 Number and description of fee	Column 2 Amount of fee
Application for a grant	
8. On an application for a grant or an order of guardianship other than on an application to which fee 9 applies	AED 5,500
Special applications	
9. 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 Court fee
Notification	
10. 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 Court fee
Objection	
11. For the entry or the extension of an objection	AED 2,200 + any applicable DIFC Court fee
Search	
12. 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)	AED 1,500
Copy documents	
13. On a request for a copy of any document whether or not provided as a certified copy:	
(a)for the first copy	AED 7
(b)for every subsequent copy of the same document if supplied at the same time	AED 3
(c)where copies of any document are made available on a computer disk or in other electronic form, for each such copy	AED 165 (including a USB stick)
(d)where a search of the index is required, in addition to fee 13(a), (b) or (c) as appropriate, for each period of 4 years searched after the first 4 years	AED 240
Determination of costs	
14. For determining costs	The same fees as are payable from time to time for determining costs under Part 40 of the RDC 2014

The fees above are all administrative fees. All of the above mentioned fees are payable in United Arab Emirates Dirham (AED) or their equivalent in other currencies at the applicable conversion rates, and as determined by the DIFC Wills and Probate Registry, from time to time.

Payments may be made by using the Registry's payment facility or alternatively by registering your law firm with the Registry's credit facility. Payments can also be made in person. Please visit our website or contact us at info@difcprobate.ae for further information.