



الأمانة العامة للمجلس التنفيذي
GENERAL SECRETARIAT OF THE
EXECUTIVE COUNCIL

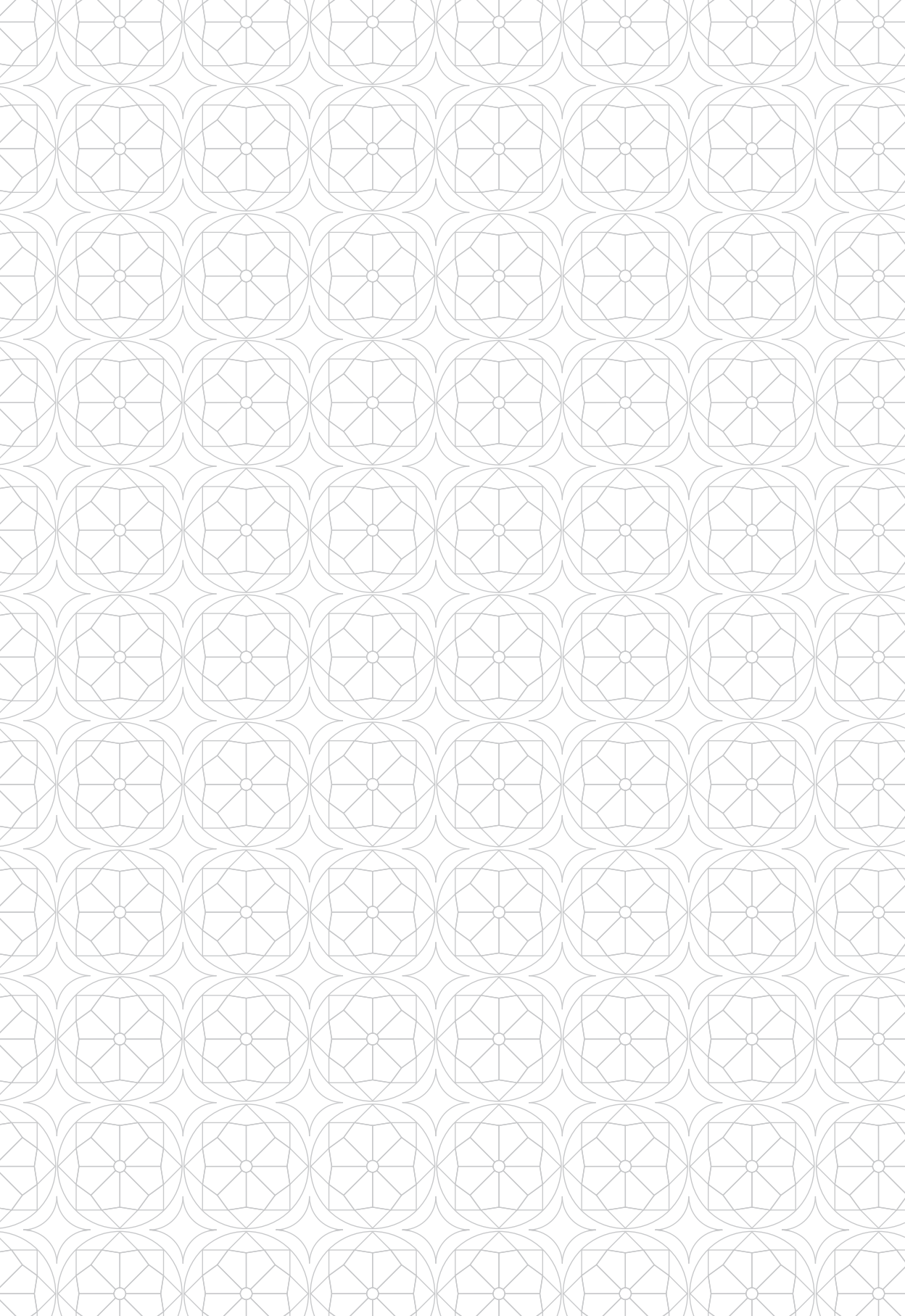
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Laws



Law No. (14) of 2021
Concerning the Personal Status for Non-Muslim
Foreigners in the Emirate of Abu Dhabi

We, Khalifa bin Zayed Al Nahyan, Ruler of Abu Dhabi

Having reviewed:

- Law No. (1) of 1974 concerning the reorganisation of the Governmental body in the Emirate of Abu Dhabi and its amendments;
- Law no. (2) of 1971 concerning the National Advisory Council, and its amendments;
- Law no. (23) of 2006 concerning the Judicial Department in the Emirate of Abu Dhabi, and its amendments;
- Law no. (11) of 2017 concerning the Notary Public in the Emirate of Abu Dhabi;
- Civil Transactions Law issued by Federal Law no. (5) of 1985, and its amendments;
- Law of Evidence in Civil and Commercial Transactions issued by Federal Law no. (10) of 1992, and its amendments;
- Civil Procedures Law issued by Federal Law no. (11) of 1992, and its amendments;
- Federal Law no. (28) of 2005 concerning Personal Status, and its amendments; and
- Based on what was presented to and approved by the Executive Council;

Issued the following Law:

Article (1)

Definitions

In the implementation of the provisions of this law, the following words and phrases shall have the meanings corresponding thereto unless the context requires otherwise:

- Emirate : The Emirate of Abu Dhabi.
Ruler : The Ruler of Abu Dhabi.
Department : The Judicial Department – Abu Dhabi.

Chairman	: The Chairman of the Judicial Department.
Law	: The Personal Status Law for non-Muslim foreigners in the Emirate of Abu Dhabi.
Court	: The Department's Personal Status Court for non-Muslim foreigners.
Foreigner	: Any male or female non-Muslim foreigner, having a domicile, residence or place of work in the Emirate.
Civil Marriage	: A perpetual marriage of a foreign non-Muslim man and woman, according to the provisions of this Law.
Civil Marriage Register	: The Register kept by the Department for the registration of the Foreigners' marriage contracts, including all the foreigners' marriage contracts concluded or authenticated before the Department.
Divorce	: Termination of the marriage contract by unilateral will of a spouse without the need to prove any damage.
Joint Custody	: The right of the parents to exercise their roles in raising and caring for the children upon separation, on equal and joint basis, and the children's right of not being deprived of any of their parents due to Divorce.
Will	: The Foreigner's disclosure of his desire to dispose of his money or any part of it after his death in accordance with the provisions of this law.
Form	: The application form provided by the Department in two languages to carry out the process.

Article (2)

Objectives of the Law

This Law has the following objectives:

1. Provide a flexible and developed judicial mechanism for the settlement of the personal status disputes of Foreigners.

2. Enhance the status and competitiveness of the Emirate on the international level as one of the most attractive destinations for human talents and competencies.
3. Pioneering the Emirate through the issuance of the first civil law regulating the family matters of Foreigners, according to international practices.
4. Guarantee the right of the Foreigner to be subject to an internationally recognised law that takes into consideration the relevant approaches of culture, language and customs.
5. Achieve and protect the best-interests of the children, particularly in case of parental separation.
6. Reduce the disputes and quarrels resulting from the Divorce.
7. Maintain the role of the mother and the father in the post-Divorce phase.

Article (3)

Scope of Implementation of the Law

Unless the Foreigner requests the application of the law of his country, the Court shall apply this Law to Foreigners as regards to matters of marriage, Divorce, inheritance, Wills and proof of lineage.

Chapter 1

Civil Marriage

Article (4)

Conditions for Concluding a Civil Marriage

In order to conclude a Civil Marriage, the following conditions shall be met:

1. The spouses shall not be less than 18 years old. Their age shall be verified by virtue of any official document issued by the state of their nationality.
2. Both spouses shall explicitly give their consent to the marriage before the Authentication Judge, and there shouldn't be any legal impediment that prevents such consent.
3. Both spouses shall sign the Declaration Form.

4. Marriage shall not be established between siblings, or with children, grandchildren, or uncles.
5. Any other conditions determined in a resolution of the Chairman.

Article (5)

Procedures for Concluding a Civil Marriage

1. The Foreigner may conclude a Civil Marriage before the authentication judge at the Department, by submitting an application using the Form that is prepared for this purpose, subject to other conditions and procedures stipulated in this Law. The Foreigner shall be exempt from submitting the medical examination certificate before marriage.
2. Marriage shall be concluded after both spouses fill in the Form prepared for this purpose before the authentication judge. Both spouses may agree on the conditions of the contract, which shall be enforceable before them concerning the rights of both the husband and wife during the marriage period as well as the post-Divorce rights.
3. The marriage contract Form shall include the spouses' disclosure of the existence of any previous marital relationship to either of them, while indicating the date of the divorce, and acknowledging that there is no existing marital relationship.
4. Pursuant to resolution of the Chairman or his delegate, the Form of the Civil Marriage contract shall be issued in two languages.
5. Upon verifying that all the conditions for concluding a Civil Marriage are met, and upon completion of the procedures stipulated in this Article, the authentication judge shall ratify the marriage contract which shall be registered in the Register that is set for this purpose.

Chapter 2

No-Fault Divorce

Article (6)

Unilateral Divorce

In order to effectuate Divorce, it is sufficient that one of the spouses expresses before the Court his desire to separate and end the marital relationship, without the need to justify this request, demonstrate any damage or blame the other party.

Article (7)

Divorce Procedures

1. Any spouse may file for Divorce without the need to demonstrate any damage, using the Form that is prepared at the Court for this purpose. Divorce shall be deemed effective by a judgment issued by the Court upon notifying the other party.
2. Divorce shall take place in the first session upon registration of the lawsuit before the Court, without the need to refer the case to family guidance.
3. Without prejudice to the provisions stipulated in the Civil Procedures Law, the Chairman or his delegate shall issue a resolution on the regulation of the registration and fees of the application stipulated in this Article.

Article (8)

Financial Claims Upon Divorce

Upon issuance of the Divorce judgment, the wife may submit a request to the Court requesting an alimony from her former husband. Any claims following the Divorce shall be submitted to the Court on the Form that is prepared for this purpose: "Form of Post-Divorce Claims". In case of not reaching an agreement regarding the conditions or controls of such alimony or any other financial claim in the marriage contract, then the claim and its duration shall be subject to the discretion of the Judge following the assessment of the following factors:

1. Years of marriage, given that the amount of the alimony shall increase with the number of years of marriage.
2. Age of the wife, given that the value of alimony decreases the younger the age of the wife and vice-versa.
3. The economic status of each spouse, based on an accounting expert's

report prepared by an accredited expert at the Department. Such expert shall be appointed by the Court for the assessment of the economic status of each spouse.

4. The extent to which the husband contributes to the Divorce due to his neglect or his mistakes or by committing any act that leads to Divorce.
5. Any spouse shall compensate the other for any material or moral damage incurred thereby due to the Divorce.
6. The financial damages that affect any spouse due to a unilateral Divorce.
7. The father (former husband) shall bear the expenses and costs of the mother's custody of the children during Joint Custody, for a temporary period that does not exceed two years in conformity with the findings of the accounting expert's report.
8. Whether or not the wife takes care of the children and the extent of such care.
9. In all cases, the alimony shall no longer be paid to the former wife in case she marries another man.

A new request may be submitted to amend the alimony every year or upon any change in circumstances.

Chapter 3 Custody of Children

Article (9) Joint Custody

1. Custody of children is a joint and equal right for both parents after Divorce, and it is the right of the children to be raised and seen by both parents rather than by one of them exclusively, in order to maintain the mental health of the concerned child and to limit the repercussions of Divorce thereon.
2. The principle of custody is to share the responsibility of raising children between the mother and the father after Divorce, unless one of them

requests in writing before the Court to waive the right of custody, or in case of submitting a request to the court to eliminate the other party from Joint Custody and to drop their custody right for any reason that may be accepted by the Court such as the legal incapacity or the risk of sharing custody with such party or in case such custodian does not assume his duties.

3. In case of dispute between the father and the mother regarding any of the Joint Custody matters, then any of them shall have the right to object before the Court using the Form prepared for this purpose or to request the Court to intervene for the settlement of the dispute.

Article (10)

Disputes Resulting from Joint Custody

The Court shall have the discretionary power to take the decision deemed necessary for the interest of the child under custody, based on the request of one of the parents after Divorce.

FChapter 4

Inheritance and Wills

Article (11)

Distribution of Inheritance

1. The Foreign testator has the right to leave a Will to whomever they want, for all the assets belonging thereto in the State.
2. In the absence of a Will, half of the inheritance goes to the husband or wife and the other half shall be equally distributed among the children with no difference between males and females. In case the deceased has no children, then the inheritance shall equally devolve to the parents thereof, or half of such inheritance shall be transferred to one of the parents should the other parent do not exist, and the other half shall be granted to the siblings. In the absence of the parents, then the inheritance shall be equally distributed between the siblings without distinction between males and females.

3. As an exception to the provisions of Clause (2) of this Article, any of the heirs of the Foreigner may request the implementation of the law that must be applied to inheritance in accordance with the provisions of the Civil Transactions Law, unless there is a registered Will stipulating otherwise.

Article (12)

Procedures for Opening the File of Inheritance and its Distribution

A guidance manual shall be issued pursuant to a resolution of the Chairman or whoever is delegated by him concerning the procedures of inheritance for non-Muslim Foreigners.

Article (13)

Registration of the Foreigners' Wills

1. The Wills of the Foreigners shall be registered in the Register that is set for this purpose according to the procedures in force at the Department, and the Chairman of the Department shall issue the resolutions and the guidance manual required for the registration and execution of the Wills of Foreigners.
2. The spouses may fill in the Form of registration of the Wills of non-Muslims while signing the marriage contract, to specify the method of distribution of the funds in case of death of any of them.

Chapter 5

Proof of Parentage

Article (14)

Proving the Child's Paternity

The child's paternity shall be evidenced by marriage or by the acknowledgment of the father and mother, and the Chairman of the Department shall issue a resolution containing the conditions and procedures of issuance of the birth certificate of the concerned child.

Chapter 6 General Provisions

Article (15)

Exclusion of the Foreigners' Personal Status Cases from Family Guidance
The Divorce cases of the Foreigners shall be excluded from being considered by family guidance committees, and shall be directly referred to the Court to issue a judgment in their regard from the first session.

Article (16)

Equality of Rights and Obligations between Males and Females
For the implementation of the provisions of this Law, equality between men and women in the rights and obligations shall be taken into consideration, this shall apply to the following matters:

1. Testimony; equality in testimony before the Court, as the testimony of a female shall be taken into consideration before the Court same as the testimony of a male Foreigner without discrimination.
2. Inheritance; equality between men and women in the distribution of the inheritance according to the provisions of this Law, without regard to the gender, religion or nationality of the heir.
3. Right to effectuate Divorce; both spouses may, equally, and unilaterally, request to effectuate Divorce, without prejudice to their rights related to Divorce.
4. Joint Custody; the parents shall have equal rights regarding the child custody until he reaches the age of 16, after which the child shall have the freedom to choose.

Article (17)

A Court Having Jurisdiction over Personal Status Cases for Non-Muslim Foreigners

1. A Court shall be established in the Emirate for the consideration of

personal status cases of the non-Muslim Foreigners. Such Court shall have jurisdiction over all cases related to the personal status matters of non-Muslim Foreigners having domicile, place of residence or place of work in the Emirate.

2. The Court stipulated in this Article shall be formed of a single judge; the judge may be non-Muslim.
3. All the Forms and procedures of the Court shall be in two languages, English and Arabic.

Article (18)

The laws and legislations in force in the State and the Emirate shall apply to the matters for which no special provisions are stipulated in this Law.

Article (19)

Issuance of Executive Resolutions and Regulations

The Chairman shall issue the regulations and resolutions required for the implementation of this Law.

Article (20)

Enforcement of the Law

This Law shall be published in the Official Gazette, and shall be effective one month after its publication.

Khalifa bin Zayed Al Nahyan

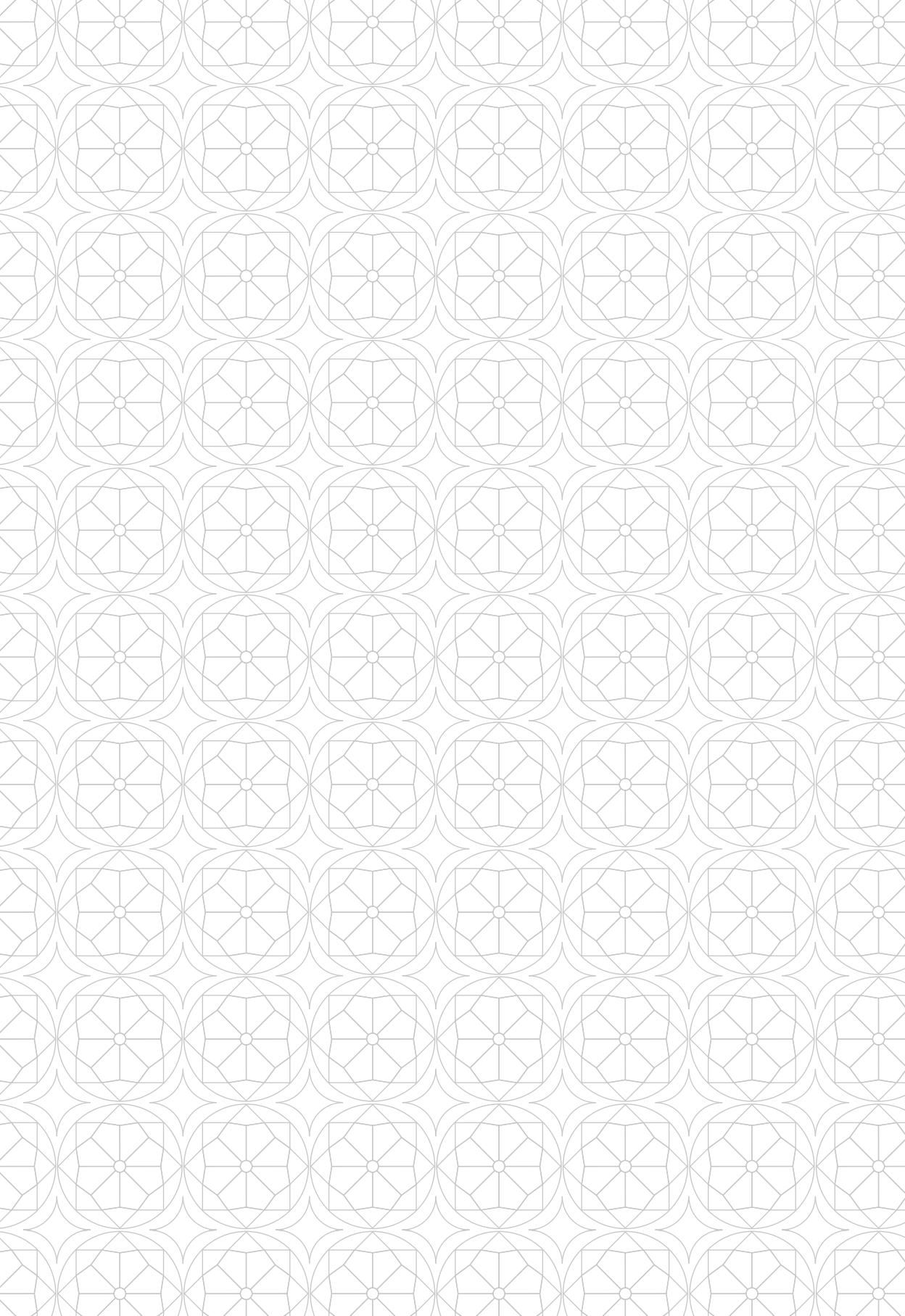
Ruler of Abu Dhabi

Issued by us in Abu Dhabi

On: 7 November 2021

Corresponding to: 2 Rabi' Al-Akhar 1443 Hijri

Crown Prince Chairman of the Executive Council Resolutions



Chairman of the Executive Council Resolution
No. (33) of 2021
Concerning the Appointment of the Undersecretary of
the Department of Energy

We, Mohamed bin Zayed Al Nahyan, Crown Prince, Chairman of the Executive Council,

Having reviewed:

- Law No. (1) of 1974 concerning the Reorganisation of the Governmental Body in the Emirate of Abu Dhabi and its amendments;
- Law No. (6) of 2016 concerning the Human Resources in the Emirate of Abu Dhabi, and its amendments;
- Law No. (11) of 2018 concerning the establishment of the Department of Energy;
- Chairman of the Executive Council Resolution No. (68) of 2017 concerning the appointment of the Undersecretary of the Department of Energy; and
- Based on what was presented to and approved by the Executive Council,

Issued the following Resolution:

Article (1)

H.E. Ahmed Mohammed Abdullah Matar Al-Rumaithi shall be appointed as the Undersecretary of the Department of Energy.

Article (3)

This Resolution shall be effective from the date of its issuance and published in the Official Gazette.

Mohamed bin Zayed Al Nahyan

Crown Prince

Chairman of the Executive Council

Issued by us in Abu Dhabi

On: 9 November 2021

Corresponding to: 4 Rabi' Al-Akhar 1443 Hijri

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