

Executive Council Resolution No. (30) of 2013

Approving

Fees of the Land Department¹

We, Hamdan bin Mohammed bin Rashid Al Maktoum, Crown Prince of Dubai, Chairman of the Executive Council,

After perusal of:

Law No. (3) of 2003 Establishing the Executive Council of the Emirate of Dubai;

Law No. (7) of 2006 Concerning Real Property Registration in the Emirate of Dubai;

Law No. (27) of 2007 Concerning Ownership of Jointly Owned Real Property in the Emirate of Dubai;

Law No. (13) of 2008 Regulating the Interim Real Property Register in the Emirate of Dubai and its amendments;

Law No. (14) of 2009 Concerning the Pricing of Government Services in the Emirate of Dubai;

Law No. (35) of 2009 Concerning Management of the Public Funds of the Government of Dubai and its amendments;

Law No. (7) of 2013 Concerning the Land Department;

Decree No. (4) of 2010 Regulating Grant of Title of Land Allocated for Industrial and Commercial Use in the Emirate of Dubai; and

Executive Council Resolution No. (24) of 2006 Approving Charges for Certain Real Property Transactions in the Emirate of Dubai,

Do hereby issue this Resolution.

Definitions

Article (1)

The following words and expressions, wherever mentioned in this Resolution, will have the meaning indicated opposite each of them unless the context implies otherwise:

Emirate: The Emirate of Dubai.

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¹*Every effort has been made to produce an accurate and complete English version of this legislation. However, for the purpose of its interpretation and application, reference must be made to the original Arabic text. In case of conflict the Arabic text will prevail.*

Department:	The Land Department.
Fee:	The amounts and percentages charged pursuant to this Resolution for the registration of Real Property Dispositions and for the services provided by the Department.
Real Property Register:	The Real Property Register and the Interim Real Property Register in which Real Property Dispositions are registered.
Real Property Disposition:	Any legal disposition pursuant to which the ownership or possession of Real Property is transferred. This includes, without limitation, contracts transferring usufruct rights or long-term lease rights provided for by the above-mentioned Law No. (7) of 2006, and rent-to-own contracts.

Approval of Fees Article (2)

Pursuant to this Resolution, the Fees for registration of Real Property Dispositions in the Real Property Register, including those related to completed, under-construction, or off-plan Real Property, as well as the Fees for services provided by the Department, as set out in the Schedule attached hereto, are approved.

Fee Collection Rules Article (3)

When collecting the Fees prescribed by Article (2) of this Resolution, the following will apply:

1. unless agreed otherwise, the Fee for the sale of Real Property will be shared equally by the seller and purchaser;
2. unless agreed otherwise, the Fee for registering a usufruct or long-term lease right provided for by the above-mentioned Law No. (7) of 2006 will be paid by collection of two percent (2%) of the value of the Real Property from the owner, Landlord, or holder of the usufruct right, and collection of two percent (2%) of the value of the Real Property from the Tenant or holder of the usufruct right;
3. unless agreed otherwise, the Fee for registering a rent-to-own contract will be paid by collection of two percent (2%) of the value of the Real Property from the Landlord, and collection from the Tenant of two percent (2%) of the value of the Real Property plus a quarter of a percent (0.25%) of the value of the amount financed;
4. the Fees for registering the subdivision of co-owned real estate will be paid by the co-owners in proportion to their respective shares prior to the subdivision;
5. unless agreed otherwise, the Fees for registering contracts for the use and development of the land of another Person (*Musataha*), contracts transferring the share of Real Property belonging to an heir to the other heirs (*Takharuj*), gifts, wills, mortgages, debt conversions, family

endowments (Family *Waqf*), and registering the rights of the heirs of tenants, will be paid by the Person to whom the rights are transferred; and

6. Fees for dispositions other than those stipulated in paragraphs (1), (2), (3), (4), and (5) of this Article will be paid by the applicant.

Fee Assessment

Article (4)

For the purpose of calculating the Fees payable under this Resolution, the Department may:

1. verify the value of the Real Property in respect of which the Real Property Disposition is made; and
2. assess the value of the Real Property and Real Property Dispositions where such value is undetermined, where it is established that the value stated in the disposition contract is less than the market value, or where false information or data is submitted with respect to these Real Property and Real Property Dispositions.

Evasion of Fees

Article (5)

The following acts will be considered evasion of Fees:

1. providing false information about the value of a Real Property Disposition;
2. acting in a fraudulent manner or using any means whatsoever to evade the payment of Fees; or
3. performing any other act with a view to evading the payment of Fees.

Fines

Article (6)

- a. Without prejudice to any stricter penalty stipulated in any other legislation, a Person who commits any of the acts provided for in Article (5) of this Resolution will be punished by a fine of double the prescribed Fee.
- b. Any Real Property developer or broker who assists any Person under obligation to pay Fees in evading the payment of such Fees will be punished by the same penalty stipulated in paragraph (a) of this Article.

Law Enforcement

Article (7)

Employees of the Department determined pursuant to a resolution of the Director General, in coordination with the Director General of the Government of Dubai Legal Affairs Department, will have the capacity of law enforcement officers to record the acts committed in breach of the

provisions of this Resolution and the resolutions issued in pursuance hereof. For this purpose, they may issue the violation reports required in this regard.

Grievances

Article (8)

Any affected party may submit a written grievance to the Director General of the Department against any decision or measure taken against him under this Resolution. The grievance will be determined, within thirty (30) days from the date of submission of the grievance, by a committee formed by the Director General of the Department for this purpose, and the decision on the grievance will be final.

Payment of Fees and Fines

Article (9)

The Fees and fines collected pursuant to this Resolution will be paid to the Public Treasury of the Government of Dubai.

Issuing Implementing Resolutions

Article (10)

The Director General will issue the resolutions required for the implementation of the provisions of this Resolution.

Publication and Commencement

Article (11)

This Resolution will be published in the Official Gazette and will come into force on the day on which it is published.

Hamdan bin Mohammed bin Rashid Al Maktoum

Crown Prince of Dubai

Chairman of the Executive Council

Issued in Dubai on 18 September 2013

Corresponding to 13 Thu al-Qidah 1434 A.H.

Schedule
Fees for Registration of Real Property Dispositions and
Fees for Services Provided by the Land Department

SN	Description	Fee
1	Registering a Real Property sale contract	4% of the value of the sale contract
2	Registering a warehouse sale contract	AED 10.00 per square metre of the plot on which the warehouse is constructed, provided that the Fee is not less than AED 10,000.00
3	Grant of title of land allocated for industrial or commercial use to the beneficiary	30% of the market value of the land
4	Grant of title of land allocated for industrial or commercial use to the possessor	50% of the market value of the land
5	Registering a gift of Real Property	0.125% of the value of the Real Property given as a gift, provided that the Fee is not less than AED 2,000.00
6	Registering a rent-to-own contract	4.25% (being 4% of the value of the Real Property, and 0.25% of the total value of the rent-to-own contract)
7	Amending the registration of a rent-to-own contract	AED 1,000.00
8	Application for transferring the ownership of Real Property from one financier to another in a rent-to-own contract	0.25% of the total value of the rent-to-own contract
9	Marking an entry in the Real Property's folio in the Register to indicate that a rent-to-own contract is terminated	AED 1,000.00
10	Registering a mortgage contract	0.25% of the mortgage (debt) value
11	Variation of the details of a mortgage	AED 1,000.00
12	Transferring a mortgage	0.25% of the mortgage (debt) value
13	Discharging a mortgage	AED 1,000.00
14	Registering a long-term Lease Contract	4% of the total value of the Lease Contract
15	Amending the registration of a long-term Lease Contract	AED 1,000.00
16	Registering a usufruct right	2% of the Real Property value

17	Registering a contract for the use and development of the land of another Person (<i>Musataha</i>)	1% of the consideration paid for the <i>Musataha</i> contract
18	Amending the registration of a contract for the use and development of the land of another Person (<i>Musataha</i>)	AED 1,000.00
19	Transferring a contract for the use and development of the land of another Person (<i>Musataha</i>)	1% of the consideration paid for the <i>Musataha</i> contract
20	Terminating a contract for the use and development of the land of another Person (<i>Musataha</i>)	AED 1,000.00
21	Supervising the sale of Real Property by public auction	1% of the auction value, provided that the Fee does not exceed AED 30,000.00
22	Issuing title deed of Real Property	AED 250.00
23	Holding an electronic public auction	AED 10,000.00
24	Licensing a public auction outside the Department	AED 10,000.00
25	Issuing a replacement for a lost/ damaged title deed or possession certificate of Real Property	AED 1,000.00
26	Registering land given as a gift	AED 500.00
27	Registering the ownership of Real Property in the name of heirs	AED 1,000.00 for each inherited Real Property
28	Registering a family endowment (family <i>Waqf</i>)	AED 2,000.00 for each Real Property
29	Transferring the share of Real Property belonging to an heir to the other heirs (<i>Takharuj</i>)	1% of the value of the Real Property subject to the transfer (<i>Takharuj</i>)
30	Subdividing a co-owned Real Property between co-owners	1% of the value of the Real Property subject to subdivision
31	Issuing a 'To Whom It May Concern' Certificate	AED 50.00
32	Confirming the ownership of Real Property	AED 5,000.00
33	Registering a will	0.125% of the value of the Real Property, which is the subject matter of the will
34	Valuating vacant land	AED 2,000.00
35	Valuating land allocated for a Real Property development project	AED 10,000.00
36	Valuating agricultural land	AED 6,000.00

37	Valuating a Real Property Unit (exclusive of the land)	AED 4,000.00
38	Valuating land on which a hotel is constructed	AED 15,000.00
39	Valuating land on which a villa compound/ commercial building is constructed	AED 6,000.00
40	Valuating land on which a residential villa is constructed	AED 4,000.00
41	Determining the location of a site	AED 200.00
42	Issuing a replacement for a lost/ damaged contract or a Real Property Disposition certificate	AED 250.00
43	Converting a Lease Contract with a term of less than ninety-nine (99) years, which is executed prior to the effective date of this Resolution, into a freehold contract	1% of the value of the Real Property
44	Issuing a usufruct certificate	AED 250.00
45	Cancelling a Real Property Disposition	AED 1,000.00
46	Marking an entry in the Real Property's folio in the Register (other than in relation to a mortgage)	AED 100.00
47	Registering a lease finance contract of Real Property in the name of the financier	0.25% of the value of the Real Property
48	Amending/ removing an entry in the Real Property's folio in the Register	AED 1,000.00
49	Authorising the cancellation of registration of a Real Property Unit sale contract	AED 500.00
50	Effecting a Real Property settlement	AED 3,000.00
51	Amalgamating/ separating Real Property	AED 500.00
52	Amending an entry in the Interim Real Property Register	AED 250.00 per Real Property Unit
53	Approving the plan of a plot/ Real Property Unit/ villa and its appurtenances	AED 50.00
54	Approving the plan of common areas of land	AED 250.00
55	Approving a plan of common areas in a building	AED 350.00
56	Approving a building plan	AED 500.00
57	Approving a 3D plan of common areas in a building	AED 500.00

58	Approving a volumetric 3D plan (BMS)	AED 1,000.00
59	Applying for a Real Property Unit survey	AED 3,000.00
60	Issuing a land map	AED 100.00
61	Surveying a business centre	AED 2,000.00
62	Issuing a villa/ Real Property Unit plan	AED 250.00
63	Issuing a plan of common areas in Real Property	AED 3,000.00
64	Issuing a 3D building plan	AED 5,000.00
65	Issuing a plan of common areas in a building	AED 5,000.00
66	Issuing a plan of a building	AED 2,500.00
67	Issuing a 3D plan of common areas in a building	AED 5,000.00
68	Issuing a plan of common areas (component plan)	AED 5,000.00
69	Issuing a map of an island	AED 450.00
70	Issuing a land map and conducting a field survey	AED 500.00
71	Issuing a villa/ Real Property Unit plan and conducting a field survey	AED 600.00
72	Issuing a plan of common areas of land and conducting a field survey	AED 5,000.00
73	Issuing a plan of a building and conducting a 2D survey	AED 3,000.00
74	Issuing a plan of common areas (component plan) and conducting a field survey	AED 5,000.00
75	Issuing a map of an island and conducting a field survey	AED 3,000.00
76	Training a Real Property registrar	AED 2,500.00 per course
77	Changing the time of a training course	AED 500.00
78	Issuing a report on a Real Property investment project	AED 500.00
79	Attending at the client's premises upon request to process a Real Property transaction	AED 2,000.00
80	Processing an urgent Real Property Disposition transaction	AED 5,000.00
81	Joining Taskeen programme	AED 400.00

82	Joining Tayseer Programme	AED 10,000.00
83	Joining a project in Tayseer Programme	AED 10,000.00
84	Joining Tanmia Programme by a Real Property developer	AED 1,000.00
85	Joining the Real Property Investment Plan of the Emirate of Dubai	AED 500.00
86	Joining the Real Property Investment Plan of the Emirate of Dubai by a Real Property developer	AED 5,000.00
87	Joining the Real Property Sustainability Standards Initiative	AED 10,000.00