

**Law No. (26) of 2021**  
**Amending Law No. (4) of 2013**  
**Concerning Notaries Public in the Emirate of Dubai<sup>1</sup>**

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**We, Mohammed bin Rashid Al Maktoum, Ruler of Dubai,**

After perusal of:

Federal Law No. (1) of 2006 Concerning Electronic Transactions and e-Commerce;

Federal Law No. (4) of 2013 Regulating the Notary Public Profession and its amendments;

Law No. (2) of 2002 Concerning Electronic Transactions and e-Commerce;

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

Law No. (4) of 2013 Concerning Notaries Public in the Emirate of Dubai (the "**Original Law**");

Law No. (13) of 2016 Concerning the Judicial Authorities in the Emirate of Dubai and its amendments; and

Executive Council Resolution No. (4) of 2014 Approving the Fees and Fines Related to Notaries Public in the Emirate of Dubai,

**Do hereby issue this Law.**

**Superseded Articles**

**Article (1)**

Articles (2), (4), (7), (8), (10), (14), (20), (33), (34), (35), (36), (37), (39), (43), and (44) of the Original Law are hereby superseded by the following:

**Definitions**

**Article (2)**

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<sup>1</sup>*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.*

Law No. (26) of 2021 Amending Law No. (4) of 2013 Concerning Notaries Public in the Emirate of Dubai

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

UAE:	The United Arab Emirates.
Emirate:	The Emirate of Dubai.
Executive Council:	The Executive Council of the Emirate of Dubai.
Judicial Council:	The Judicial Council of the Emirate.
Courts:	The Dubai Courts.
Court:	The Court of First Instance at the Courts.
Chief Justice:	The chief justice of the Court.
Directorate:	The Notary Public Directorate at the Courts.
Notary Public:	A Government Notary Public, a Private Notary Public, an employee of a Government entity registered on the Roll, or the e-Notary Public.
Government Notary Public:	A public servant appointed at the Courts and assigned the functions stipulated in this Law.
Private Notary Public:	A natural person registered on the Roll to exercise certain functions of the Government Notary Public pursuant to this Law.
e-Notary Public:	An Electronic system that performs certain functions assigned to Government Notaries Public pursuant to this Law without any human intervention and without the need for the Concerned Parties to appear in person at the office of the Notary Public.
Committee:	The Notary Public Affairs Committee.
Grievances Committee:	A committee formed at the Courts to consider and determine the grievances submitted to it by Notaries Public, Firms, or Concerned Parties against any decision

or procedure taken against them under this Law and the resolutions issued in pursuance hereof.

- Roll:** The paper or electronic record maintained by the Courts in which Private Notaries Public and employees of Government Entities, who meet the conditions and requirements stipulated in this Law, are registered.
- Firm:** Any company or sole proprietorship duly licensed to operate in the Emirate and authorised by the Courts to provide Notary Public services.
- Authorisation:** A document issued by the Courts authorising a Firm to provide Notary Public services in accordance with the requirements and procedures stipulated in this Law and the resolutions issued in pursuance hereof.
- Instrument:** Any document or contract which is registered or attested by a Notary Public, or whose date is validated by a Notary Public, in accordance with the provisions of this Law or any other legislation.
- Instrument File:** The file which contains the signatures of Concerned Parties and in which the Notary Public keeps an original copy of the Instrument and the documents related thereto.
- Registration:** Creating or drafting a document or a contract by the Notary Public at the request of the Concerned Parties, and recording it in the registers maintained for this purpose.
- Attestation:** Manual or Electronic certification of the authenticity of the signature or thumb fingerprint of a Concerned Party.
- Date Validation:** Validating the date of an Instrument by a Notary Public.
- Concerned Party:** A person who requests a Notary Public to process an application in accordance with the provisions of this Law.

Translator: A legal translator certified by the competent authority to translate from a foreign language into the Arabic language, and vice versa.

### **Performing Notary Public Work Article (4)**

Notary Public work in the Emirate may be performed only by:

1. Government Notaries Public;
2. Private Notaries Public;
3. the employees of Government Entities registered on the Roll; and
4. the e-Notary Public.

### **Requirements for Appointing Government Notaries Public Article (7)**

To be appointed as a Government Notary Public, a person must:

1. be a UAE national;
2. be of full capacity;
3. be of good conduct and repute; and not have been sentenced by a definitive judgement for a felony or misdemeanour affecting honour or trustworthiness, even if he has been rehabilitated or pardoned;
4. be a holder of a bachelor of laws, a bachelor of Sharia and law, or an equivalent degree from a university or an institute accredited in the Emirate;
5. be medically fit to perform his job duties;
6. not have been dismissed from service pursuant to a definitive judgment or a final disciplinary decision;
7. successfully pass the prescribed tests and interviews; and

8. meet any other conditions determined pursuant to the relevant resolutions of the Director of the Courts.

## **Committee**

### **Article (8)**

- a. A permanent committee named the "Notary Public Affairs Committee" will be formed pursuant to a resolution of the President of the Courts. The resolution will appoint the chairman and members of the Committee, who must include one or more Judges of the Courts. The resolution forming the Committee will determine its terms of reference, the quorum of its meetings, and the procedures for passing its resolutions.
- b. In addition to the functions assigned to it under this Law, the Committee will have the duties and powers to:
  1. determine applications to register and renew the registration of Private Notaries Public;
  2. determine applications filed by Government Entities to register and renew the registration of their employees on the Roll;
  3. determine applications for issuing and renewal of Authorisations of Firms;
  4. determine applications submitted by Firms to suspend their activities;
  5. determine applications for transferring Private Notaries Public between Firms;
  6. determine, and take the necessary action in respect of, the appeals filed by Concerned Parties against the actions taken against them by Firms, Private Notaries Public, and employees of Government Entities registered on the Roll, in accordance with this Law and the resolutions issued in pursuance hereof;
  7. consider, and render decisions on, the violations committed by Firms, Private Notaries Public, and employees of Government Entities registered on the Roll and the complaints against them; and take the necessary action in respect of these violations and complaints, including imposition of the penalties stipulated by this Law and the resolutions issued in pursuance hereof; and
  8. exercise any other duties or powers assigned to it by the President of the Courts.

## **Requirements for Registration on the Roll**

### **Article (10)**

To be registered on the Roll, a person must:

1. meet the requirements stipulated in Article (7) of this Law. The Director of the Courts may exempt any person, whether or not he is a national of an Arab country, from the requirement to be a UAE national as stipulated in sub-paragraph (1) of Article (7) of this Law, provided that he is proficient in written and spoken Arabic;
2. perform the Government Notary Public functions assigned to him on a full time basis. Nevertheless, upon an approval issued by the Director of the Courts based on the recommendation of a Government Entity requesting to register its employee on the Roll, or based on the Committee's recommendation in case of a practitioner of a profession licensed in the Emirate, the employee or practitioner may perform Government Notary Public work, in addition to practising his profession or performing his original job duties, as the case may be. That approval will be issued in accordance with the requirements determined pursuant to the relevant resolution of the Director of the Courts.
3. have practised a judicial or legal profession within the UAE for a period of not less than two (2) years;
4. pay the fee prescribed for registration on the Roll; and
5. meet any other requirements determined pursuant to the relevant resolution issued by the Director of the Courts.

## **Obligations of Firms**

### **Article (14)**

- a. A Firm must:
  1. display its Authorisation at a prominent place for easy reference by the public;
  2. notify the Directorate of all Private Notaries Public employed by the Firm, and of any variation of their details, as recorded in the Roll, within five (5) working days from the date of that variation;

3. obtain the Directorate's prior approval of any amendment or variation of the details of the licence issued to the Firm by the licensing authority;
  4. maintain, for the period prescribed by the Courts, a special record of the details and completion dates of the applications processed by the Firm, and the names of relevant parties;
  5. provide the equipment, records, documents, technology, and systems required to provide Notary Public services;
  6. electronically archive Instruments, and the documents related thereto, and send their original copies to the Directorate within five (5) working days from the date of processing the Instruments; and
  7. perform any other obligations determined pursuant to the relevant resolutions of the Director of the Courts.
- b. The Firm will be fully liable for any faults committed by the Private Notaries Public employed by it. This includes the liability to pay the fines prescribed by this Law and the resolutions issued in pursuance hereof. A Firm must pay the fines within thirty (30) days from the day following the expiry date of the grievance time limit, or from the day following the date on which the resolution of the Grievances Committee is issued under this Law, failing which, the Authorisation of the Firm will be suspended until full payment of these fines.
- c. The Courts will not be liable to third parties for any damage they may sustain as a result of the provision by a Firm of the Notary Public services under this Law and the resolutions issued in pursuance hereof.

## **Functions of Notaries Public**

### **Article (20)**

- a. A Notary Public will have the following functions:
1. to undertake the Registration of all types of documents and contracts as prescribed by law or requested by Concerned Parties;
  2. to undertake the Attestation of the signatures of Concerned Parties on all types of documents and contracts upon their request;

3. to undertake the Date Validation of all types of documents and contracts by assigning them serial numbers in the records maintained for this purpose, registering the dates on which they are filed and signed by the Notary Public, and stamping them with the official seal;
  4. to undertake the Registration and Attestation of affidavits after administering oath to Concerned Parties, and enter the same in the records maintained for this purpose;
  5. to undertake Attestation to the authenticity of recognised signatures on marriage contracts for non-Muslims, and on documents issued by the places of worship and religious entities licensed in the Emirate;
  6. to affix the executory formula on the Instruments registered or attested by him, pursuant to the provisions of Article (34) this Law;
  7. to undertake the Attestation of wills made by non-Muslims; and
  8. to perform any other functions vested in him pursuant to the legislation in force in the Emirate or assigned to him by the Director of the Courts or the Chief Justice of the Court.
- b. Pursuant to the relevant resolution of the Director of the Courts, Private Notaries Public, and employees of Government Entities who are registered on the Roll, may be assigned any of the Government Notary Public functions set forth in paragraph (a) of this Article.
- c. The Director of the Courts may assign the provision of one or more of the Government Notary Public services to the e-Notary Public.

### **Correcting Instruments**

#### **Article (33)**

- a. The validity of an Instrument processed by a Notary Public may not be prejudiced by any material typographical or mathematical error made by him. The Notary Public must correct any such errors in accordance with the relevant procedures prescribed by the Director of the Courts.
- b. Where a Concerned Party makes an error related to any data or information included in the Instrument, the Notary Public may, at the request of that Concerned Party,



correct the error in accordance with the relevant procedures prescribed by the Director of the Courts.

### **Executory Formula**

#### **Article (34)**

- a. At the request of a Concerned Party, a Notary Public will affix the executory formula stamp to any Instrument which is registered or attested by him in accordance with this Law where this Instrument includes established and enforceable obligations whose amount is specified. The Concerned Parties may be delivered only one (1) copy of that Instrument.
- b. An additional copy of the Instrument to which the executory formula stamp is affixed may be delivered to a Concerned Party only pursuant to a written order of the Chief Justice of the Court, or any Judge of the Court authorised by him, in the event of loss of, or impossibility to use, the first copy for any reason.

### **Digital Processes and Evidentiary Value**

#### **Article (35)**

- a. The work of a Notary Public may, in accordance with the rules prescribed by the Director of the Courts, be performed by means of digital processes, including any acts or procedures related to identity verification, remote communication, Electronic Signature, payment of fees, or other matters. These acts and procedures will be deemed valid and legally effective without requiring the Concerned Parties to appear in person before the Notary Public.
- b. A traditional or Electronic Instrument processed by a Notary Public will have the evidentiary value of an official document, as prescribed by the legislation in force. The validity of the Instrument may only be challenged by claiming forgery.

### **Grievances Committee**

#### **Article (36)**

- a. A committee named the "Grievances Committee" will be formed pursuant to a resolution of the President of the Courts. The resolution will determine the chairman and members of the Grievances Committee, who must include one or more Judges of the Courts. The resolution will also determine the terms of reference of the

Grievances Committee, the quorum of its meetings, and the procedures for passing its resolutions.

- b. The Grievances Committee will have the duties and powers to:
  1. consider and determine the grievances filed by Notaries Public and Firms in respect of the decisions, penalties, measures, or actions taken against them under this Law and the resolutions issued in pursuance hereof;
  2. consider and determine the grievances filed by Concerned Parties in respect of the decisions, actions, or measures taken against them under this Law and the resolutions issued in pursuance hereof; and
  3. exercise any other duties or powers assigned to it by the President of the Courts.

### **Grievance Procedures**

#### **Article (37)**

The following procedures will be followed in filing grievances:

1. A grievance will be submitted to the Directorate on the form prescribed by it for this purpose within fifteen (15) days from the date of issuance of the contested decision, penalty, measure, or action in case it is rendered in the presence of the Concerned Party; or from the date of being notified of the same in case it is rendered in absentia.
2. The Directorate will present the grievance to the Grievances Committee for determination within five (5) working days from the date of its submission.
3. The Grievances Committee may request the grievant to provide it with any documents required for determining the grievance. The grievant must provide the Grievances Committee with these documents within the time frame prescribed by it.
4. The Grievances Committee will determine the grievance presented to it within thirty (30) days from the date of presenting it by the Directorate. Where the Grievances Committee requests the grievant to provide it with additional documents, the grievance will be determined within thirty (30) days from the date of providing the Grievances Committee with these documents. The decision of the Grievances Committee in respect of the grievance will be final.

## **Inspection and Penalty Assurances**

### **Article (39)**

- a. Firms and Notaries Public will be subject to inspection in accordance with the relevant procedures prescribed by the resolution issued by the Director of the Courts in this respect.
- b. The Committee may not impose any penalty on a Firm or Notary Public unless a written interrogation is conducted, and the statements and defence of the Firm or Notary Public, as the case may be, are heard.
- c. The Committee hearings, interrogations, and deliberations will be held in camera.

## **Law Enforcement**

### **Article (43)**

The Employees of the Directorate nominated pursuant to a resolution of the Director of the Courts will have the capacity of law enforcement officers to record the acts committed in breach of the provisions of this Law and the resolutions issued in pursuance hereof. For this purpose, they may issue the necessary violation reports; and, where necessary, seek the assistance of police personnel.

## **Fees**

### **Article (44)**

- a. In return for the services provided by Notaries Public in accordance with this Law, for issuing Authorisations, for registration on the Roll, and for other services relating to Firms, Private Notaries Public, and Government Entity employees registered on the Roll, the fees determined pursuant to the relevant resolution of the Chairman of the Executive Council will be collected.
- b. Applications submitted by federal or local Government Entities in the Emirate will be exempt from payment of the fees prescribed for Notary Public services.

**Publication and Commencement**  
**Article (2)**

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

**Mohammed bin Rashid Al Maktoum**  
**Ruler of Dubai**

Issued in Dubai on 18 November 2021  
Corresponding to 13 Rabi al-Thani 1443 A.H.