

NEW WILL RULES FOR PROPERTY OWNERS

► Investors living overseas can now register from abroad, protecting their assets after their death

SHIREENA AL NOWAIS

Overseas investors with property in Dubai or Ras Al Khaimah will be able to register their wills in the emirates online for the first time.

A virtual registry is intended to give those with property or assets the peace of mind that there could be no dispute as to who would inherit their estate.

Sean Hird, director of the Dubai International Finance Centre's Wills and Probate Registry, said he expects thousands of non-Muslim expatriates to benefit from the service.

The move is the latest change governing how expats and their family affairs are handled.

Systems to deal with divorce, marriage and wills outside of Sharia-based family law are being rolled out.

"We are mindful of the fact that there are a lot of residents and maybe ex-residents here, and also overseas investors who have maybe flown in and purchased an apartment and then flown out back to their home country," Mr Hird said.

"They are wondering what would happen to their property or financial assets if they pass away and they would have heard of our services but found it is not convenient for them."

DIFC has had a specialised system allowing wills to be registered and dealt with outside of the public Dubai courts system since 2015. About 3,000 people registered their wills.

In May, Abu Dhabi announced that a similar system would be rolled out across the emirate.

And last month Dubai expanded the DIFC system to Dubai courts for non-Muslim expats.

DIFC's latest move will allow users to fill in an online template that does not require a lawyer and an online portal to register online.

"We wanted to make sure that we are meeting peoples' needs and the needs of non-residents and overseas investors," Mr Hird said.

 The Emirates have started to address the problems that expats may face where registration of wills is concerned

The system opened a few weeks ago and at the moment, Mr Hird says, there are many dozens going through this process already.

"When we look at the Dubai Land Department figures for last year you will see thousands of non-residents buying property here in Dubai, and of these thousands there will be many many thousands who are eligible to have their wills registered," he said.

"This reflects the sort of nature of people who want to use our service – that fly-in, fly-out investor – the person, say, from Mumbai who comes to Dubai and says 'I want to buy a few apartments as part of my global investment portfolio'.

"They come in, buy these apartments and go back to their home country."

Until now, the relatives of a resident who died having failed to register their will with DIFC were likely to see Sharia applied.

The court was likely to freeze the deceased's assets – including the end of service gratuity – to ensure that all the heirs were contacted before the estate is distributed.

This process can take a considerable time, and throw unexpected problems and unfamiliar situations at many residents.

The registry has also signed a partnership with VSF Global. VSF Global is offering protection through free identity verification services for online will holders.

After completing an online will, overseas customers using the Virtual Registry service can

prevent challenges to the will through biometric and identity verification provided by VFS Global.

"When we set up this virtual will registration service, enabling people from overseas to video link in our registry to get their wills registered, we were very conscious of the importance of identity," Mr Hird said. "That indeed the person that was conferencing with us is indeed the person that purported to be."

"When we looked at cases in the UK and other places overseas where disputes arise in relation to wills, one of the common causes was identity, so we want to make sure that the service that we provide did genuinely provide the reassurance that people are looking for."