

The Enforcement of DIFC Wills in Ras Al Khaimah

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On 12 December 2016, the Dispute Resolution Authority in the DIFC signed a series of agreements with the Ras Al Khaimah Courts and other RAK government entities which should allow DIFC Courts' judgements and orders, including probate orders, to be enforced directly by the Ras Al Khaimah Courts.

His Highness Sheikh Saud bin Saqr Al Qasimi, Ruler of Ras Al Khaimah, commented that as a result of these agreements:

“Individual residents can have even greater trust that their property and assets will be secure here.”

This development will allow DIFC registered Wills to encompass both Dubai and Ras Al Khaimah assets. The DIFC Wills and Probate Registry was established to introduce a new avenue for succession and inheritance matters for non-Muslims holding assets in Dubai, and now Ras Al Khaimah, backed by protocols concluded with other public authorities.

The new rules, which broadly follow UK law and practice, create legal certainty for the inheritance of individuals' assets after death and the appointment of guardians for their children. This not only allows individuals to have testamentary freedom to dispose of their assets as they wish, it also provides peace of mind that an individual's estate will be distributed according to their wishes.

The Registry provides a simple and efficient mechanism for non-Muslims to pass on their estates, subject to a formal Will registration process which functions as an opt-in mechanism. All probate grants are issued by judges of the DIFC Courts.