REAL PROPERTY REGULATIONS (AMENDMENT No.1) 2022
REAL PROPERTY REGULATIONS (AMENDMENT No.1) 2022
Regulations to amend the Real Property Regulations 2015

Date of Enactment: 1 June 2022

The Board of Directors of the Abu Dhabi Global Market, in exercise of its powers under Article 6(1) of Law No. 4 of 2013 concerning the Abu Dhabi Global Market issued by His Highness the Ruler of the Emirate of Abu Dhabi, hereby enacts the following Regulations –

1. Amendments to the Real Property Regulations 2015

The Real Property Regulations 2015 (the “Regulations”) shall be amended as follows:

... (1) Section 4(6) shall be deleted in its entirety and replaced with the following words:

“(6) Anti-abuse – Where these Regulations provide for a fee or a maximum term requirement (as in section 42), an attempt by a party to structure a transaction with an intention to defraud or misrepresent the Registrar for the purpose of avoiding the fee or requirement in question, the Registrar may request for the value of the transaction to be determined by an independent valuator at the expense of the parties involved in order for the Registrar to be able to determine the applicable fees”.

(2) In section 43, the title shall be amended by adding the words “and renewal” immediately after the word “lease”.

(3) In section 43 (1), the words “28 days” immediately after the word “within” shall be deleted and replaced with the words “1 month”.

(4) In section 43, a new subsection (2) shall be added as follows and the remaining subsections shall be renumbered accordingly:

“(2) A lessor shall, within 1 month of the date on which a lease is renewed, notify the Registrar and provide any details the Registrar requires.”

(5) In section 43(3), the words “subsection (1)” immediately after the word “with” shall be deleted and replaced with the words “subsections (1) and (2)”.

(6) In section 43(3), the words “28 days” immediately after the word “within” shall be deleted and replaced with the words “1 month”.

(7) In section 132, the words “The Registrar shall pay the fees and charges into the funds of the Board” shall be deleted and replaced with the words “Fees received by the Registrar are to be paid into the account of the Registrar. Any fee which is owed to the Registrar under any provision made by such rules may be recovered as a debt due to the Registrar”.

(8) In section 135(1), the words “the relevant parties to the real property interest or conveyance” shall be added immediately after the word “provide”. 
Section 135(4) shall be deleted in its entirety.

In section 137(1), the words “A person” shall be deleted and replaced with the following words “The relevant parties to the real property interest or conveyance”.

A new PART 19A shall be added immediately after the end of section 138 as follows:

"PART 19A – CONTRAVENTIONS

138A. Contraventions and Fines

(1) A person who is in contravention of sections 11(1), 29(1), 30(1), 43(1) or 43(2) on the date on which the Real Property Regulations (Amendment No.1) 2022 comes into force, has 3 months to rectify such contravention with the Registrar. If such person does not rectify the contravention within this period, they shall be liable to a fine up to level 8 on the standard fines scale.

(2) A person who contravenes sections 11(1), 29(1), 30(1), 43(1) or 43(2) after the date on which the Real Property Regulations (Amendment No. 1) 2022 come into force, commits a contravention of these Regulations and shall be liable to a fine up to level 8 on the standard fines scale.

(3) The contravention by a person of any of sections 11(1), 29(1), 30(1), 43(1) or 43(2) continues until such time as the contravention of the obligation(s) stipulated in any of these sections is rectified by such person.

(4) Each contravention of an obligation stipulated by any of sections 11(1), 29(1), 30(1), 43(1) or 43(2) will be considered an individual offence and it will attract a separate fine as stipulated in subsections (1) and (2) above."

The table of contents of the Regulations shall be updated accordingly.

2. Short title, extent and commencement

(1) These Regulations may be cited as the Real Property Regulations (Amendment No. 1) 2022.

(2) These Regulations shall apply in the Abu Dhabi Global Market.

(3) These Regulations come into force on the date of their publication.