

**Federal Decree- Law No. (16) of 2018**  
**Concerning the Real Estate Properties of the Federal Government**

**We Khalifa bin Zayed Al Nahyan**

**President of the United Arab Emirates,**

- Upon review of the Constitution;
- Federal Law No. (1) of 1972 concerning the Competences of Ministries and Powers of Ministers, and its amendments thereof;
- Federal Law No. (5) of 1985 Promulgating the Civil Transactions Law, and its amendments thereof;
- Federal Law No. (3) of 1987 Promulgating the Penal Law, and its amendments thereof;
- Federal Law No. (35) of 1992 Promulgating the Penal Procedure Code, and its amendments thereof;
- Federal Law No. (7) of 2000 concerning Emirates Real Estate Corporation.
- Federal Law No. (8) of 2011 on the Reorganization of State Audit Institution
- Based on what has been proposed by the Minister of Finance, and the approval of the Cabinet;

**Promulgate the following Decree by Law:**

**Article (1)**

**Definitions**

In application of the provisions of this Decree by Law, the following words and expressions shall have the meanings ascribed thereto unless the context requires otherwise:

**State:** : The United Arab Emirates.

**The  
Government** : The Federal Government of the State.

**Minister** : The Ministry of Finance.

**Federal  
Government** : Ministries, government agencies, public bodies and institutions in the Federal State.

## **bodies**

<b>Federation Properties</b>	Real estate properties including the empty lands registered in the name : of the Government or any other Federal government agency allocated for public interest or any right in rem in real estate properties.
<b>Disposition</b>	: Creating a right in rem or personal right for any of the Federation properties.

## **Article (2)**

### **Scope of Application**

This Decree by law shall be enforced on all properties of the Federation inside and outside the State, without prejudice to bilateral or international agreements applicable in the State.

## **Article (3)**

### **Exception to the scope of application**

The following shall be excluded from the application of the provisions of this Decree by Law:

1. Endowed real estate properties managed by the General Authority of Islamic Affairs and Endowments or any other federal Governmental agency.
2. Any Federal body or properties of the Federation for which a Cabinet decision is issued.

## **Article (4)**

### **Federation Properties**

Properties of the Federation shall include the real estates including the empty areas of land as follows:

1. Real estates granted by an Emirate to the Government or any Federal Government body.
2. Real Estates owned by the Government or any Federal Government body.
3. Real estates granted or assigned by a natural or legal person for the favour of the Government or any Federal Government body.

## **Article (5)**

### **Disposition of the Federation's Properties**

1. Without prejudice to the provisions of article (15) of this Decree by Law, a Federal Government body shall not dispose any property owned by the Federation unless a consent of the Ministry is given.
2. The Ministry shall be the competent authority to determine the Government bodies to benefit from any of the federation's properties subject to the provisions of this Decree by Law and its executive resolutions.
3. Notwithstanding the provision of clause (1) of this article, the Cabinet may, after taking the opinion and consent of the Ministry, appoint any Federal Government body to dispose some of the Federation's properties.

## **Article (6)**

### **Leasing**

The Ministry, upon the request of the Federal Government body benefiting from some properties of the Federation, may permit such body to lease an office, floor, space or any other part that is not used by that body pursuant to the policies and procedures of leasing Governmental buildings approved by the Cabinet.

## **Article (7)**

### **Registration of Federation's Properties**

1. Properties of the Federation shall be registered under the name of the Government at the real estate registers of competent local bodies or the State where the property is located.
2. The Ministry shall keep a register of the Federation's Properties.
3. Notwithstanding the provision of clause (1) of this article, the headquarters of Diplomatic commissions of the State overseas may be registered in the name of the Ministry of Foreign Affairs and International Cooperation subject to the provisions of applicable laws of the host country.

## **Article (8)**

Without prejudice to article (6) of this Decree by Law, non-governmental Federal agencies may not dispose any of the Federation's properties unless by the consent of the Cabinet. A third party shall not acquire a right in rem due to lapse of time.

## **Article (9)**

Competence of the Cabinet concerning the properties of the Federation

The Cabinet may, upon a recommendation of the Minister:

1. decide to demolish, rebuild, expand or change the specifications and descriptions of any of the Federation's properties,
2. Dispose any of the Federation's properties owned by the Government through sale or substitution to a third party. The ownership of such properties shall be transferred to the alienee in its condition at the time of disposition with all its rights and liabilities and the alienee shall not be entitled to claim any indemnity against such rights.

## **Article (10)**

### **Documentation of Federation's Properties**

1. The Ministry or the competent Federal government body shall coordinate with the competent authority in the relevant Emirate in order to acquire its decision to give or grant the title of a government property in order to create community properties on such property or to dispose it. The Ministry shall fulfil all procedures and documents relevant to this matter.
2. The Ministry shall coordinate with the Ministry of Foreign Affairs and International Cooperation to ensure that relevant bodies in the State, where the headquarter of the Diplomatic commission is located, issue ownership documents for the diplomatic properties and buildings in the name of the State of the Ministry of Foreign Affairs and International Cooperation. The Ministry shall receive a copy of such documents.

## **Article (11)**

### **Title Deeds**

Federal Governmental bodies, occupying Federal properties at the time of enforcement of this Decree by Law, shall send the Ministry the title deeds of such properties with relevant maps and schemes. Such Federal government bodies may keep a true copy of these documents.

## **Article (12)**

### **Reclamation of the Federation's Properties**

The Ministry shall reclaim the Federation's properties pursuant to a written receipt report when the Federal government body does not need such property it occupies. The Cabinet may, upon a recommendation from the Minister, allocate the benefit of those properties to any other Federal government body.

## **Article (13)**

### **Requirements to reclaim the Federation's Properties**

If the Emirate demands the reclamation of any property it granted to the Government or any Federal Government body, the Ministry shall coordinate with the relevant authority in the Emirate to confirm that reclamation request is made subject to the following provisions and conditions:

1. The reclamation shall be for infrastructure purposes or public interest of the Emirates requesting to reclaim the property.
2. The Emirate shall compensate the Government for the properties required for reclamation with similar properties or a fair compensation as agreed upon between the Government and the local Government.
3. The request of reclamation shall be approved by a resolution from the Cabinet.

## **Article (14)**

### **Exception of the reclamation provision**

As an exception to the provisions of article (13) of this Decree by Law, the Emirate ranting the

empty land may reclaim it, without any material compensation if it was not exploited by the grantee. This shall be made in coordination between the Ministry and subject to the approval of the Cabinet.

## **Article (15)**

### **Commitment of Provisions of Law in the Properties of the Federation**

A natural or legal person is prohibited to possess or seize or dispose any part of the Federation's properties except subject to the provisions decided in this Decree by Law or the applicable laws of the State.

## **Article (16)**

### **Penalties**

Without prejudice to any more severe penalty stipulated by any other law, anyone who violates the provision of article (15) of this law shall be punished by imprisonment for a period that is not more than a year and a fine that shall not exceed AED (100.000) one hundred thousand dirhams or one of these two penalties. The court shall rule to remove the violation at the cost of the violator.

## **Article (17)**

### **Executive Resolutions**

The Cabinet shall, upon the proposal of the Minister, issue the resolutions necessary for the execution of the provisions of this Decree by Law.

## **Article (18)**

### **Transitional Governance**

Resolutions and instructions relevant to the properties of the Federation, issued before the enforcement of this Decree by Law, shall continue to apply to what is not contrary to its provisions until necessary resolutions to execute the provisions of this Decree by Law are issued.

## **Article (19)**

### **Repeals**

Any provision contrary to or inconsistent with the provisions of this Decree by Law shall be repealed.

## **Article (20)**

### **Publication and Enforcement**

This decree by Law shall be published in the official Gazette and shall come into force one month from the date of publication.

**Khalifa Bin Zayed Al Nahyan**  
**President of The United Arab Emirates**

Issued by us at the Presidential Palace in Abu Dhabi:

Dated: 13 Muharram, 1440 AH

Corresponding to: 23 September, 2018