



## FROM PROBATE TO POSSESSION: DIFC WILLS ENFORCEMENT STREAMLINED

### A. INTRODUCTION

For many years, executors of non-Muslim wills registered in the Dubai International Financial Centre (“**DIFC**”) faced a cumbersome process. Even after obtaining a grant of probate from the DIFC Courts, they were required to approach the Dubai courts to enforce the will, creating delays and additional complexity for beneficiaries. This changed with the introduction of *DIFC Law No. 2 of 2025*, issued on 3 March 2025, which brought significant reforms to the probate process within the DIFC. The law clarified the jurisdiction of the DIFC Courts over enforcement of DIFC-registered wills, removing the need for executors to navigate the Dubai courts.

### B. KEY PROVISIONS OF THE LAW

Several articles in the new law are particularly relevant for executors and beneficiaries:

- Article 31(5): The enforcement judge of the DIFC Courts shall have jurisdiction over the enforcement of non-Muslim wills registered in the DIFC, regardless of whether the subject matter of enforcement is within or outside the DIFC. This provision formally affirms the DIFC Courts’ authority to oversee the full enforcement process of DIFC wills.
- Article 32(A1): Orders and decisions issued by the DIFC Courts shall be final and executory, including decisions relating to DIFC wills.

- Article 32(B): Dubai courts may not review the merits of cases that have been adjudicated by the DIFC Courts under this framework.

The DIFC Wills team further emphasised that these provisions streamline the enforcement process of DIFC wills. In particular, article 31 ensures that the DIFC Courts have clear jurisdiction, significantly reducing procedural hurdles for executors.

### C. IN PRACTICE

Shortly after the law came into force, our team handled a probate case that highlighted the practical benefits of these changes. Previously, we would have needed to take the grant of probate issued by the DIFC Courts to Dubai Courts to enforce the will. Under the new regime, the entire process was managed entirely by the DIFC Courts, including:

1. Obtaining the grant of probate for the executor.
2. Issuance of the probate order and its translation into Arabic.
3. DIFC directly sending individual letters/orders to relevant authorities to effect the transfer of ownership of assets as set out in the will.

This process was completed remotely, demonstrating the DIFC Courts' efficiency and the practical impact of the new law.

### D. IMPLICATIONS AND TAKEAWAYS

The introduction of *Law No. 2 of 2025* makes DIFC probate more streamlined, efficient and quicker. Compared with probate processes that require the involvement of local onshore courts, physical appearances or separate enforcement filings, DIFC probate can now be completed largely remotely, offering a more streamlined and efficient route for executors.

If you or someone you know would like to register a DIFC Will or need support navigating DIFC probate matters, our team at [Meyer-Reumann & Partners](#) will be pleased to help and assist. Get in touch with us by emailing our lawyer Natacha El Azar at [natacha@meyer-reumann.com](mailto:natacha@meyer-reumann.com).

*\*Please note this article is for general informational purposes only and does not constitute legal advice.*

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