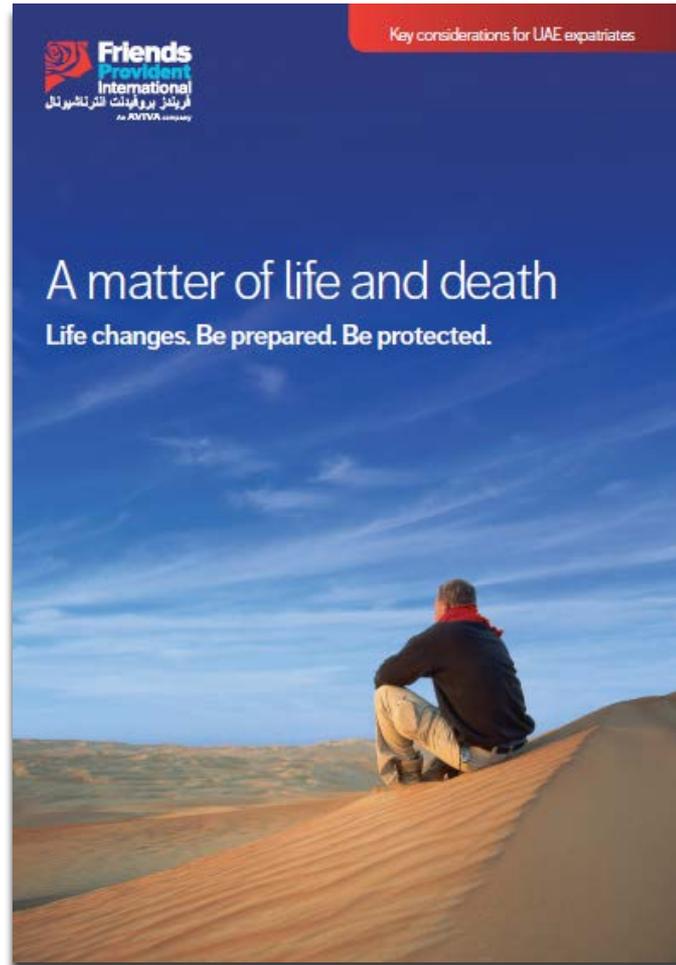


A matter of life and death

Life changes. Be Prepared. Be protected.

A matter of life and death

Key considerations for UAE expatriates



Plan for the worst, hope for the best

14 things you should consider

1. Leave a will
2. Ensure your children are taken care of
3. Real Property
4. Structure your bank accounts carefully
5. Consider inheritance taxes in your home country
6. Use a Trust or Beneficiary Nomination for your life insurance
7. Make sure you nominate beneficiaries for your end of service gratuity
8. Check whether you qualify for death in service benefits
9. Think about how your death would impact your dependents' residency
10. Think about your digital life
11. Registering a death in the UAE and repatriation of remains
12. Burial and cremation
13. Prepare a checklist of people that will need to be informed if you die in the UAE
14. Make sure you have adequate cover

A matter of life and death

What happens if you die and leave no will?

Government of Dubai – ‘The UAE courts will adhere to Sharia’h law in any situation where there is no will in place’

Sharia’h Law

- The law which governs the inheritance of your estate in the UAE, and
- The law which governs the guardianship of your children in the UAE

A matter of life and death

What happens to your UAE estate if you die with no will?

Sharia'h law distribution



Husband dies	
Wife	12.5%
Son	36.11%
Daughter	18.06%
Father	16.67%
Mother	16.67%

Wife dies	
Husband	25%
Son	27.78%
Daughter	13.89%
Father	16.67%
Mother	16.67%



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Key considerations for UAE expatriates



1. Leave a will

- UAE law allows non-Muslims to apply the inheritance laws of their home country. UAE Personal Status law given practical effect via the DIFC Wills & Probate Registry
- Registrable wills must be in the English language
- Currently applies to Dubai and/or RAK assets only
- Both residents and non-residents can register wills
- The DIFC WPR do not provide legal advice or draft wills
- Probate orders issued by the DIFC Courts
- NB Law number 15 - issued on 31 October 2017 - means a will can now be registered in the Dubai Courts, it must be notarised by the testator's embassy and then attested at the Ministry of Foreign Affairs in the UAE

A matter of life and death

Key considerations for UAE expatriates



1. Leave a will (continued)

- Clearly outline your wishes for the disposal of your estate, for the burial, cremation or repatriation of your remains and for the guardianship of your children.
- Specify that your will is to be written in accordance with the laws of your home country, and this will be respected by the UAE authorities – provided it is registered at the DIFC Wills and Probate Registry (WPR).
- If no will is in place, Sharia'h law – which favours the male line – is likely to apply over the intestacy (inheritance) laws of your home country.
- For a will to be valid it must be registered and legalised at the DIFC WPR

A matter of life and death

Key considerations for UAE expatriates



1. Leave a will (cont'd)

- Legal advice and financial advice always important
- Different types/formats of registrable wills available
 - (i) Full will – covers all classes of assets and can include guardianship arrangements – recommendation that an approved lawyer drafts
 - (ii) Guardianship will – covers guardianship arrangements only – recommendation that an approved lawyer drafts
 - (iii) Property will – online template – covers real estate property only

A matter of life and death

Key considerations for UAE expatriates

2. Ensure your children are taken care of

- Make sure you discuss guardianship of your children with your legal or financial adviser when drawing up your will
- Specify who should take care of them if the worst should happen.
- The UAE does not have the social services support structures enjoyed in some countries and there would be reluctance from the authorities to intervene.



A matter of life and death

Key considerations for UAE expatriates

3. Real Property



- If you own property in the UAE, make sure you specify in your will who is to inherit it and, if more than one person, the proportion to which each is entitled.
- Each joint owner owns a share of a property (usually 50%)
- On death, the deceased's share is subject to Probate.
- Property is frozen until Probate is granted.
- If no will is in place, UAE and Sharia'h law will prevail.
- If there are multiple heirs entitled to inherit under Sharia'h law, the heirs will own the property jointly in accordance with the percentages established under the Sharia'h .
- The same principle applies to the disposal of any real property, as well as movable assets such as gold, bonds, etc.

A matter of life and death

Key considerations for UAE expatriates

4. Structure your bank accounts carefully

- If an expatriate dies while resident in the UAE, any bank accounts they hold in the country will be frozen until Probate is granted by a UAE court, and all the deceased's UAE debts – including any fines - are paid.
- Applies to all local and international banks where deposits are held , even when the account is held in joint names,
- A Grant of Probate is required before the balance of the bank account can be paid to the estate
- To avoid potential delays in dealing with the deceased's affairs while waiting for Probate, consider setting up UAE bank accounts in single names, or set up a joint account offshore to ensure that your spouse has access to finance if anything should happen to you.

A matter of life and death

Key considerations for UAE expatriates

Mr. and Mrs. Kumar - Case study

- Hindu NRIs living in Dubai
- One minor son
- Mr Kumar had a property in the Meadows in his sole name
- No Will in place

Consequences: of Mr Kumar's death

- Sharia'h law applied in default
- Guardianship of son defaulted to Mr. Kumar's father
- Wife required her father-in-law's permission to take decisions
- Joint accounts frozen. Wife had no immediate access to funds
- Various issues with transferring property into beneficiaries' names
- Delayed and protracted Probate procedure
- Costly and time consuming

A matter of life and death

key considerations for UAE expatriates

14. Make sure you have adequate life cover

- Remember; you don't buy life insurance because you are going to die, but because those you love are going to live, so make sure you have adequate life insurance to help those you leave behind to survive after you have gone.
- However, if the worst should happen, knowing that you have taken all reasonable steps necessary to alleviate the burden on those you leave behind can be a great source of comfort.
- While it is never possible to replace a beloved family member, having a protection plan in place will help a family in the unfortunate event of the death of a breadwinner.
- A financial adviser can help you to determine the level of cover you will need for any given set of circumstances, for example the future overall costs of raising children until they have completed their education.
- The additional costs of repatriating a family can be factored into the calculation of a suitable level of cover.
- Never underestimate the importance of taking financial advice.



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Thank you

Friends Provident International does not give taxation, legal or financial advice.

It is therefore recommended that you speak with your legal and/or financial adviser before making any decisions with regard to succession and estate planning.

While every care has been taken in compiling this presentation, and the information contained herein is correct to the best of our knowledge and belief at November 2017.

Friends Provident International cannot be held responsible for any error or omission, or for any action taken or not taken as a result of the information in this presentation.