

ADGM Courts' Notary Public and Wills Office

Notary Public - Frequently Asked Questions

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1. Who can use the ADGM Courts' Notary Public service?	The Notary Public service is available to individuals residing in the UAE and companies registered within and outside ADGM, but in the Emirate of Abu Dhabi.
2. Do I need to use a specific template to notarise a document?	For your convenience our notary templates can be found on our website under Notarisation > Templates. For speed and efficiency, clients are encouraged to use these templates, but it is not compulsory. Other forms of the documents will be accepted by the Notary Public, but it is likely that it will take additional time for the Notary Public to review them.
3. What are the essential criteria for document(s) to be accepted for notarisation?	<ul style="list-style-type: none"> - The document must be in bilingual format (Arabic and English) certified by a legal translator licensed by the UAE Ministry of Justice unless there is a requirement for the document to be in Arabic. - The document must also include the following information: <ul style="list-style-type: none"> o For Entities' document(s) for notarisation: <ul style="list-style-type: none"> - Personal information of the authorised signatory(ies): <ul style="list-style-type: none"> ▪ name as stated in the Emirates ID for UAE residents and/ passport for non-UAE residents; ▪ nationality; ▪ Emirates ID number for UAE residents and/ passport number for non-UAE residents; and ▪ capacity - Company information as stated in the commercial licence: <ul style="list-style-type: none"> ▪ name; ▪ legal entity type; ▪ name of the licensing authority; ▪ registration number; and ▪ company address. o For Individuals' document(s) for notarisation <ul style="list-style-type: none"> - Personal information of the authorised signatory(ies): <ul style="list-style-type: none"> ▪ name as stated in the Emirates ID for UAE residents and/ passport for non-UAE residents; ▪ nationality; ▪ Emirates ID number for UAE residents and/ passport number for non-UAE residents; and ▪ capacity - The document must be signed by the authorised signatory(ies) <u>in handwriting</u> on all pages. DocuSign and electronic signatures are not accepted.

4.	What documents do I submit with my notarisation request?
	<ul style="list-style-type: none"> - Along with your document(s) for notarisation, you must upload the following PDF documents: <ul style="list-style-type: none"> o For an ADGM registered entity: <ul style="list-style-type: none"> ▪ commercial licence; ▪ company extract and/ or updated certificate of incumbency, translated into Arabic; ▪ articles of association; ▪ Emirates ID (for UAE residents) and/ passport copies (for non-UAE residents), along with a valid UAE visit visa or entry stamp. of the authorised signatory(ies); ▪ a letter issued by the Registration Authority of ADGM stating the directors' powers. (Applicable only if the company is represented by the directors); ▪ a copy of the translator's card; and ▪ any other document that may be requested by the Notary Public. o For a non-ADGM registered entity: <ul style="list-style-type: none"> ▪ commercial licence; ▪ a document indicating the details of the company, the shareholder(s) and the manager. (e.g., company register or/ extract/or certificate of incumbency); ▪ Emirates ID (for UAE residents) and/ passport copies (for non-UAE residents), along with a valid UAE visit visa or entry stamp, of the authorised signatory(ies); ▪ articles of association; ▪ a copy of the translator's card; and ▪ any other document that may be requested by the Notary Public o For Individual(s): <ul style="list-style-type: none"> ▪ Emirates ID (for UAE residents) and/ passport copies (for non-UAE residents), along with a valid UAE visit visa or entry stamp, of the authorised signatory(ies); and ▪ any other document that may be requested by the Notary Public

- the power of attorney to be revoked.

e) Power of attorney limited to real property:

- title deed of the property.

f) Power of attorney limited to litigation:

- a copy of the lawyer's licence issued by the UAE Ministry of Justice.

g) Power of attorney limited to vehicles:

- a copy of the vehicle registration card.

h) Special power of attorney issued by authorised signatory of an ADGM registered entity acting by way of an authority document:

- a power of attorney or a shareholders'/ or board of directors' resolution (authority document) granting the authority to the authorised signatory to act on behalf of the company and execute documents. The authority document must be either notarised by a notary public or if the applicant is an ADGM entity, the document can be certified by the Registration Authority of ADGM with a notary pack.

i) Declaration for transferring the ownership of a retail shop to the buyer:

- evidence of revoking the service agent contract, if the retail shop is owned by a foreign investor, (applicable only for non-ADGM registered entities); and
- fourteen (14) days' newspaper publication.

6. What do I need and what will happen at my appointment with the Notary Public?

- Payment of ADGM Courts' filing fee (sent via SMS and email) required prior to scheduling the appointment.
- At the appointment, the authorised signatories must:
 - join the virtual meeting at the scheduled time from a location with suitable lighting and reliable internet; and
 - have their original identification documents with them as provided in Question 5.
- Payment of ADJD notarisation fee (sent via SMS) required after completing the appointment.
- The Notary Public will notarise the document(s), and copy(ies) of the notarised document(s), electronically and payment receipts will be sent via SMS.

7. What official documents may be presented for the purposes of identification before the Notary Public if I am not a UAE resident and I do not hold an Emirates ID?

- For a **GCC national**:
 - the applicant's original passport or national identification card may be presented for identification purposes.
- For a **Non-GCC national**:
 - the applicant's original passport is required.

8.	<p>My name appears on the commercial licence as the company's authorised signatory. Do I have the authority to sign documents for notarisation on behalf of the company?</p>
	<ul style="list-style-type: none"> - The fact that your name appears on the commercial licence does not authorise you to sign documents for notarisation on behalf of the company. - You may be authorised to sign documents for notarisation on behalf of the company if: <ul style="list-style-type: none"> o you are a shareholder or director of a company and are granted this authority pursuant to the <i>ADGM Companies Regulations 2020</i>; or o you hold a power of attorney or shareholders' board of directors' resolution (authority document) granting you the authority to act and execute documents on behalf of the company. The authority document must be either notarised by a notary public, or if the applicant is an ADGM entity the authority document can be certified by the ADGM Registration Authority (RA) with a notary pack.
9.	<p>What is a notary pack? And how can I submit a request for it?</p>
	<p>A notary pack is a service offered by the RA to certify an authority document of an ADGM registered entity for notarisation purposes, in which the RA provides the following two letters along with the certified authority document: (a) declaration letter which confirms the validity of the authority document, and (b) a directors' powers letter which lists the directors and confirms their powers in accordance with the ADGM Companies Regulations. The Notary Public requires a notary pack certification only if the applicant selects to certify the authority document by RA. To apply for this service, please contact RA at: ra@adgm.com for further assistance.</p>
10.	<p>I am one of the company's shareholders or directors, can I execute documents for notarisation on behalf of the company?</p>
	<p>If the company has more than one shareholder or director, you will not be able to execute the documents solely unless you hold a document granting you the authority to act and execute documents on behalf of the company. Alternatively, all shareholders or directors may sign the documents for notarisation.</p>
11.	<p>We are an ADGM registered entity, and we own an entity and/or have assets located in Abu Dhabi but outside of ADGM.</p>
	<p>Can the Notary Public notarise a document issued by the ADGM based entity in relation to the entity and/ or the assets located in Abu Dhabi?</p> <p>Yes, the Notary Public will notarise the document because it relates to the operations of the ADGM based entity to deal with its Abu Dhabi owned entity or assets located in Abu Dhabi. However, we require a supporting document indicating ownership of this entity and/or assets as provided in Question 6(b)</p> <p>What if the ADGM based entity is not the only shareholder, can it draw a power of attorney for notarisation in relation to the entity and/ or the assets located in Abu Dhabi that it partly owns?</p> <p>Yes, the ADGM based entity can draw a power of attorney for notarisation in relation to the entity and/ or the assets located in Abu Dhabi that it partly owns. However, the ADGM based entity must specify in the</p>

	<p>power of attorney that it relates to the shares that it partly owns and add the percentage of these shares. In addition, we require a supporting document indicating ownership of this entity and/or assets as mentioned above.</p>
12.	<p>We are an ADGM registered entity, and we would like to sell/ mortgage shares we partly own in an entity located in ADGM. Can the Notary Public notarise the sale/ mortgage agreement?</p>
	<ul style="list-style-type: none"> - Yes, the Notary Public can notarise the sale/ mortgage agreement. However, the ADGM registered entity must provide the following supporting documents in addition to the documents provided in Question 6(a) <ul style="list-style-type: none"> o a document notifying the shareholder(s) of the sale/mortgage of the shares; and o a document/ or letter from the shareholder(s) with no objection to selling/ mortgaging the shares.
13.	<p>Do I need to appear in person before the Notary Public for notarisation?</p>
	<p>No, ADGM Courts' Notary and Wills Office is fully digital. The authorised signatory(ies) may appear before the Notary Public via videoconference.</p>
14.	<p>If there are several authorised signatories involved in a single notarisation, do all authorised signatories need to be present at the same appointment or can each person attend separately?</p>
	<p>Yes, all authorised signatories must attend the same appointment before the Notary Public to confirm their knowledge of the content of the document for notarisation.</p>
15.	<p>I am an individual or a company based outside of ADGM but in Abu Dhabi, and I would like to draw a power of attorney in favour of an ADGM registered company. Can the Notary Public notarise the power of attorney?</p>
	<p>Yes, the Notary Public can notarise your power of attorney. As provided in Question 1, the Notary Public may notarise documents for individuals residing in the UAE/ and for companies registered in outside ADGM but in Abu Dhabi if the notarisation relates to their operations.</p>
16.	<p>Can the Notary Public notarise articles of association of a company based in Abu Dhabi but outside the ADGM?</p>
	<p>No, the Notary Public will not notarise articles of association and its amendments for an Abu Dhabi-based company because the notarisation for such document falls within the competency of another authority (for example, Abu Dhabi Department of Economic Development).</p>
17.	<p>We are a Dubai based company and we own an ADGM registered SPV. Can the Notary Public notarise a document relating to the operations of the Dubai based company?</p>
	<p>No, the Notary Public will not be able to notarise a document relating to the operations of a Dubai based company because it falls outside the jurisdiction of the Notary Public of ADGM Courts. As provided in question 1, the notarisation must be related to the operations of companies registered in ADGM or outside the ADGM but in Abu Dhabi.</p>

18.	Does the Notary Public Office provide translation services?
	No, the Notary Public Office does not provide translation services. You may use the services of any legal translator certified by the UAE Ministry of Justice.
19.	Can the Notary Public notarise:
	a) An affidavit?
	<ul style="list-style-type: none"> - If the affidavit contains a statement that it is made under oath, the Notary Public will not notarise the affidavit. The applicant may be requested to contact ADJD's Notary Public for such notarisation. If the affidavit contains a statement of affirmation, the Notary Public will be able to notarise the affidavit.
	b) An indefinite power of attorney (a power of attorney without a specific expiry date)?
	<ul style="list-style-type: none"> - This applies only to Powers of Attorney issued for use outside the UAE. For PoAs intended for use within the UAE, the Notary Public will not be able to notarise an indefinite power of attorney. A power of attorney may be notarised only for a maximum period of: <ul style="list-style-type: none"> o 5 years, if the power of attorney is made in favour of a lawyer for the purpose of legal representation, including appearing before all UAE Courts; or o 3 years, for all other types of powers of attorney.
	c) A document attested/ certified by any Ministry of Foreign Affairs and/ or a Notary Public?
	<ul style="list-style-type: none"> - The Notary Public will not notarise documents that are attested/ certified by the Ministry of Foreign Affairs and/or a Notary Public of any jurisdiction. The Notary Public is prohibited under Abu Dhabi Law No. (11) of 2017 Concerning Notary Public in the Emirate of Abu Dhabi from notarising any document of which the authentication or notarisation falls within the competency of another authority (for example, Ministries of Foreign Affairs) recognised by Abu Dhabi laws.
	d) A company's constitutional documents issued by the Registration Authority of ADGM (e.g. a company's commercial licence, certificate of registration, certificate of incumbency, etc.)?
	<ul style="list-style-type: none"> - The Notary Public will not notarise a company's constitutional documents. This is because, pursuant to Abu Dhabi Law No. (11) of 2017 Concerning the Notary Public in the Emirate of Abu Dhabi, the authentication of such documents falls under the competency of the recognised authority (for example, ADGM's Registration Authority) and not the Notary Public.
	e) A company/ an individual's bank statements?
	<ul style="list-style-type: none"> - The Notary Public will not notarise the bank statements of a company or an individual because, as stated above, the authentication of such documents falls under the competency of the relevant bank as a recognised authority under Abu Dhabi laws.
	f) Passport copies?
	<ul style="list-style-type: none"> - The Notary Public will not notarise passport copies because:

- for UAE citizens, the notarisation of such documents falls under the competency of the UAE Federal Authority for Identity and Citizenship; and
- for non-UAE citizens, the notarisation of such documents falls under the competency of the relevant authority per their home country's jurisdiction.

g) Sale and purchase or lease agreements for real property?

- The Notary Public will not notarise sale and purchase or lease agreements for real property. This is because the authentication of such documents falls under the competency of another authority, (for example, ADGM Registration Authority or Abu Dhabi Municipality) as recognised authorities under Abu Dhabi laws.