

Enforcement outside of ADGM by Abu Dhabi Judicial Department

A judgment² creditor may seek the enforcement of a judgment of ADGM Courts by Abu Dhabi Judicial Department (ADJD) where the subject of enforcement is situated outside of ADGM by using either of the following procedures:

Deputisation

ADGM Courts may deputise an enforcement judge of ADJD for the enforcement of the judgment outside ADGM (Art. 13(15)(b) of Abu Dhabi Law No. (4) of 2013 as amended by Abu Dhabi Law No. (12) of 2020, MoU para. 14)

Certified copy of judgment

Judgment creditor must complete and file an application for a certified copy of the judgment supported by the following documents:

- a copy of the judgment
- where the applicant seeks to enforce an arbitral award, a copy of any order of the Court recognizing the award
- a draft of any execution letter which is sought (MoU para. 12, CPR 302, PD 10.12, Form CFI 24)

ADGM Courts will affix the following executory formula on the judgment:

"The authorities and competent bodies must proceed to execute this instrument and to carry out the requirements thereof, and they must give assistance in the execution thereof even by force if so requested" (MoU para. 12(a), PD 10.13)

Application for deputisation

Judgment creditor must complete and file an Application for Deputisation of Judgment of ADGM Courts, enclosing the following supporting documents:

- a copy of the judgment affixed with the executory formula
- a copy of the judgment translated into Arabic by a legal translator
- written evidence that the judgment has been served on the judgment debtor (MoU para. 14, PD 10.11, CFI 30)

Court-to-Court deputisation

ADGM Courts enforcement judge may deputise an enforcement judge of ADJD to enforce the judgment by providing ADJD with a letter enclosing:

- an order indicating the measures or actions of enforcement to be taken
- a copy of the judgment affixed with the executory formula
- a copy of the judgment translated into Arabic by a legal translator
- written evidence that the judgment has been served on the judgment debtor (MoU para. 14, PD 10.11, CFI 30)

OR

Direct Application

Judgment creditor may apply directly to ADJD for the enforcement of the judgment outside ADGM (Art. 13(15)(a) of Abu Dhabi Law No. (4) of 2013 as amended by Abu Dhabi Law No. (12) of 2020, MoU para. 13)

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ADJD

Judgment creditor may apply directly to the Enforcement Division of ADJD pursuant to ADJD's legal procedures for the enforcement of the judgment, submitting the certified copy of the judgment with the executory formula and a copy of the judgment translated into Arabic by a legal translator (MoU paras 12 and 13)

Enforcement by ADJD

- the enforcement procedures set out in UAE Federal Law No. (11) of 1992 shall apply to the enforcement
- there shall be no re-examination of the merits of the judgment

(Art. 13(15)(c) of Abu Dhabi Law No. (4) of 2013 as amended by Abu Dhabi Law No. (12) of 2020, MoU paras 2 and 15)

¹The content of this Guide is for informational purposes only. ADGM Courts are not providing legal advice by this information. Parties must always refer to Abu Dhabi Law No. (4) of 2013 as amended by Abu Dhabi Law No. (12) of 2020 and the Memorandum of Understanding between the Judicial Authorities of Abu Dhabi and ADGM Courts as well as the relevant Rules and Practice Directions.

² "Judgment" includes decisions, orders or arbitral awards that have been recognized or ratified by a recognized court.