

## ADGM COURTS' NOTARY PUBLIC AND WILLS OFFICE

### Notary FAQs

#### 1. Who can use the ADGM Courts' Notary Public service?

The Notary Public service is available to employees and companies within the ADGM community.

#### 2. Do I need to use a specific template to notarise a document?

- For your convenience our notary templates can be found here: [Notary 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
- The document to be notarised must be in bilingual format (Arabic and English), unless there is a requirement for the document to be in Arabic. The document must also be certified by a translator licensed by the UAE Ministry of Justice.

#### 3. How do I submit a notary request?

- ADGM Courts' Notary and Wills Office are fully digital. All requests must be submitted via our eCourts Platform here: <https://adgmcourts.com/ADGM/NotaryPublic/>.
- For instructions on how to submit your request and the appointment process, please refer to the notarisation process here: [Notarisation Process](#).

#### 4. What documents do I submit with my notarisation request?

Along with your document(s) for notarisation, you must upload the following PDF documents:

- **For an ADGM registered entity:**
  - commercial licence;
  - company extract and/ or updated certificate of incumbency;
  - articles of association;
  - Emirates ID of the authorised signatory; and
  - any other document that may be requested by the Notary Public.
- **For an ADGM entity employee:**
  - employment certificate of ADGM entity; and
  - Emirates ID of the authorised signatory.

- **For an ADGM authority:**
  - board resolution or approval of authority; and
  - Emirates ID of the authorised signatory.
- **For an ADGM employee:**
  - employment certificate of ADGM entity; and
  - Emirates ID of the authorised signatory.

#### **5. What do I need for my appointment with the Notary Public?**

- At the appointment, the authorised signatories must:
  - have identification documents with them, and
  - join the virtual meeting at the scheduled time from a location with suitable lighting and reliable internet
- Payment of filing fees (sent via SMS and email) required at time of appointment
- Notary Public notarises the document(s) electronically and copy(ies) of the notarised document(s) and payment receipts are sent via SMS and email

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

- If the applicant is a GCC national, the applicant's original passport or national identification card may be presented for identification purposes.
- If the applicant is **NOT** a GCC national, the applicant's original passport is required.

#### **7. What are the fees applicable for the notarisation of documents?**

The notarisation fees are set out in ADGM Courts Notary Fees schedule: [Notary Fees](#).

#### **8. 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?**

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:

- you are a shareholder of a company and are granted this authority pursuant to the *ADGM Companies Regulations 2015*;

- you are a director of a company and are granted this authority pursuant to the *ADGM Companies Regulations 2015*; or
- you hold a notarised power of attorney or shareholder's/ board of directors' resolution granting you this authority.

**9. Do I have to appear in person before the Notary Public for notarisation?**

No, ADGM Courts' Notary and Wills Office are fully digital and the authorised signatory(ies) must appear before the Notary Public virtually via Webex videoconference.

**10. 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?**

Yes, all authorised signatories must attend the same appointment before the Notary Public to sign the document for notarisation. The Notary Public will not allow authorised signatories involved in a single notarisation to attend separately.

**11. I am an individual/ a company based outside of ADGM 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?**

Yes, the Notary Public can notarise your power of attorney. The Notary Public may notarise documents where the principal or the attorney is an ADGM registered entity and the notarisation relates to the operations of an ADGM registered entity.

**12. 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?**

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 (11), the notarisation must relate to the operations of an ADGM registered entity, including, for example, the notarisation of a power of attorney or board of directors' resolution from a Dubai based entity in favour of an ADGM registered entity.

**13. We are an ADGM registered entity and we own an entity and/ or have assets located in Abu Dhabi but outside of ADGM. 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 but outside of ADGM?**

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.

#### 14. Does the Notary Public Office provide translation services?

No, the Notary Public Office does not provide translation services; however, you may use the services of any legal translator certified by the UAE Ministry of Justice.

#### 15. Can the Notary Public notarise:

- **an affidavit?**

If the affidavit contains a statement of affirmation 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 without an oath, the Notary Public will be able to notarise the affidavit.

- **an indefinite power of attorney (a power of attorney without a specific expiry date)?**

The Notary Public will not be able to notarise an indefinite power of attorney. A power of attorney may be notarised only for a period of:

- 5 years, if the power of attorney is made in favour of a lawyer for the purpose of legal representation, including appearing before UAE onshore and offshore Courts; or
- 3 years for all other types of powers of attorney.

- **a document certified by any Ministry of Foreign Affairs?**

The Notary Public will not notarise documents that are certified by the Ministry of Foreign Affairs 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.

- **a company's constitutional documents issued by the Registration Authority of ADGM (e.g. a company's commercial license, certificate of registration, certificate of incumbency, etc.)?**

The Notary Public will not notarise a company's constitutional documents because, pursuant to *Abu Dhabi Law No. (11) of 2017 Concerning the Notary Public in the Emirate of Abu Dhabi*, the authentication of such document falls under the competency of the recognised authority (for example, ADGM's Registration Authority) and not the Notary Public.

- **a company/ an individual's bank statements?**

The Notary Public will not notarise the bank statements of a company or an individual because, as provided above, the authentication of such documents falls under the competency of the relevant bank as a recognised authority under Abu Dhabi laws.

- **passport copies?**

The Notary Public will not be able to 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

- **documents generally attached to a power of attorney?**

The Notary Public will not notarise documents attached to a power of attorney. If the documents are referred to in the power of attorney, the Notary Public may place their stamp on those documents without affixing the notarisation sticker. The stamp only confirms that the attached documents are referred to in the power of attorney