

Cabinet Resolution No. (36) of 2021
Regarding the Use of Digital Transaction Technologies in Transactions and
Matters Related to Personal Status

The Cabinet:

- Having reviewed the Constitution;
- Federal Law No. (1) of 1972 Regarding the Competences of Ministries and the Powers of Ministers, as amended;
- Federal Law No. (6) of 1978 Regarding the Establishment of Federal Courts and the Transferal of Jurisdictions of Local Judicial Entities in some Emirates thereto, as amended;
- Federal Law No. (3) of 1983 Regarding the Federal Judicial Authority, as amended;
- The Civil Transactions Law issued by Federal Law No. (5) of 1985, as amended;
- The Penal Code issued by Federal Law No. (3) of 1987, as amended;
- The Law of Evidence in Civil and Commercial Transactions issued under Federal Law No. (10) of 1992, as amended;
- The Civil Procedures Law promulgated by Federal Law No. (11) of 1992, as amended;
- The Penal Procedures Law promulgated by Federal Law No. (35) of 1992, as amended;
- Federal Law No. (28) of 2005 Regarding Personal Status, as amended;
- Federal Law No. (1) of 2006 Regarding Electronic Commerce and Transactions;
- Federal Law No. (4) of 2013 Regarding the Regulation of the Notary, as amended;
- Upon the proposal of the Minister of Justice and the approval of the Cabinet;

Hereby resolves as follows:

Article (1)

The prohibition set forth in the paragraphs indicated below from Article (2) clause (2) from Federal Law Regarding Electronic Commerce and Transactions shall be repealed as follows:

1. Paragraph (a), which prohibits the use of Information Technology means in transactions and matters related to personal status, such as marriage, divorce and wills.
2. Paragraph (e), which prohibits the use of Information Technology means in any document

that the law requires to be notarized before the notary public.

Article (2)

Information Technology means shall be used in transactions and matters related to personal status such as marriage, divorce, and wills, as well as in all documents that the law requires to be authenticated before the notary public, in accordance with the controls and procedures set forth in Federal Law No. (1) of 2006, Federal Law No. (4) of 2013 and its aforementioned amendments, and the relevant laws and resolutions applicable in the State.

Article (3)

The Minister of Justice or the Head of the competent local judicial authority or their delegates shall issue the regulatory decisions regarding the use of Information Technology means in transactions and matters related to personal status and the duties of the notary public, in accordance with the provisions of the applicable laws, and this Resolution.

Article (4)

Records related to transactions and matters concerning personal status and the Notary Public shall be created and preserved either electronically or as hard copies, and shall be confidential and may not be circulated, accessed, copied or deleted from the electronic information system except with the permission of the court or the administration, as the case may be, in accordance with the provisions of this Resolution.

Article (5)

Information security regulations, policies and systems adopted in the State shall apply to the use of Information Technology means stipulated in this Resolution.

Article (6)

The electronic signature and the electronic documents prepared according to the provisions of this Resolution shall have the same probative force as signatures or official paper documents stipulated in Federal Law No. (10) of 1992.

Article (7)

Any provision that contradicts or conflicts with the provisions of this Resolution shall be repealed.

Article (8)

This Resolution shall be published in the Official Gazette and shall enter into force from the day following its date of publication.

Mohamed bin Rashid Al Maktoum

Prime Minister

Issued by Us:

Dated: 26 Shaaban 1442 A.H.

Corresponding to: 8 April 2021 A.D.