IN THE DISPUTE RESOLUTION AUTHORITY THE DIFC WILLS AND PROBATE REGISTRY THE DUBAI INTERNATIONAL FINANCIAL CENTRE COURTS

Practice Direction No. 2 of 2015

THE PROBATE APPLICATION FORMS AND WITNESS STATEMENTS IN DIFC WILLS AND PROBATE MATTERS

Citation, commencement and interpretation

This Practice Direction is issued pursuant to the powers conferred by the DIFC Wills and Probate Registry Rules ("the DIFC WPR Rules"), and including, but not limited to, Articles 7, 10, 21, 23, 27, 42, 51, 70, 86 and by the Rules of the DIFC Courts ("RDC") Relating to Probate Claims, as stated in Part 55.

This Practice Direction will come into effect on the date of issue. It may be cited as Practice Direction 2 of 2015 — THE PROBATE APPLICATION FORMS AND WITNESS STATEMENTS IN DIFC WILLS AND PROBATE MATTERS and may be abbreviated to PD 2/2015.

The following forms are contained in this Practice Direction:

- (1) FORMS FOR PROBATE APPLICATIONS,
- (2) WITNESS STATEMENT ON BEHALF OF A GUARDIAN UNDER RULE 10(6),
- (3) WITNESS STATEMENT ON BEHALF OF AN EXECUTOR UNDER RULE 27 AND RULE 70, AND
- (4) WITNESS STATEMENT ON BEHALF OF A GUARDIAN UNDER RULE 86

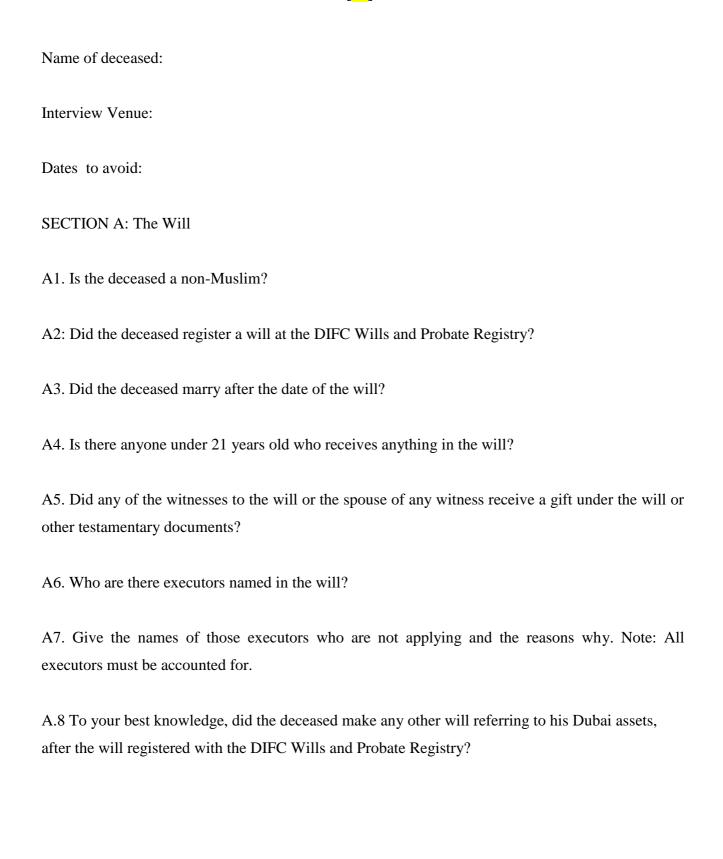
Dated this 29th day of April 2015

Michael Hwang

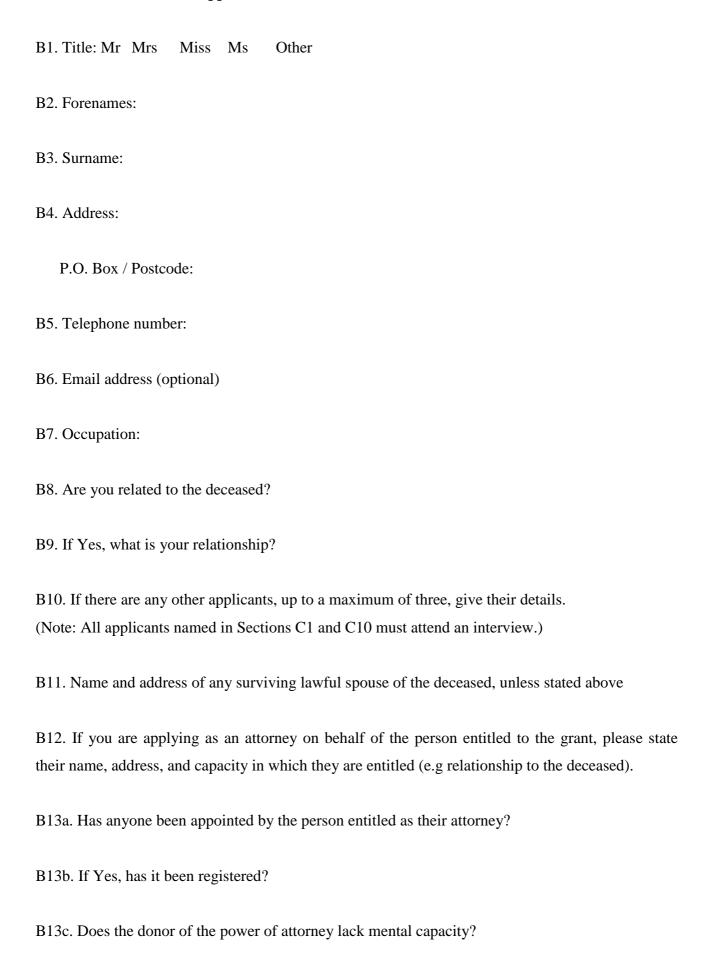
HEAD OF THE DISPUTE RESOLUTION AUTHORITY

The following forms are formal requirements for completion and delivery, including any additionally required documents, to the DIFC Wills and Probate Registry, in accordance with the DIFC Wills and Probate Registry Rules and the applicable Rules of the DIFC Courts, Part 55. They shall be read in conjunction with the applicable DIFC Wills and Probate Registry Fees, as set out in Dispute Resolution Authority Practice Direction No. 1 of 2015.

PROBATE APPLICATION FORM – Form [**]



SECTION B: Details of applicant



SECTION C: Details of the Deceased

C1. Forenames:
C2. Surname:
C3a. Was the deceased known by any other name in which he/she made a will?
C3b. If so, what name was it made in?
C4. Last permanent address of the deceased
C5. Date of birth
C6. Date of death
C7. Nationality

SECTION D: Submitting your application

Please send your application to the DIFC Wills and Probate Registry, which controls the interview time and venue you wish to attend. Otherwise your application may be delayed.

Form [<mark>**</mark>]

Official copy of death certificate

Other documents as requested on Form [**]

Signed

Dated:

WITNESS STATEMENT ON BEHALF OF A GUARDIAN UNDER RULE 10(6).

IN THE ESTATE OF [NAME]

I (full name) of (address) say as follows:

- 1. Unless otherwise stated (in which case I state the source of my belief), the facts and matters set out in this witness statement are within my own knowledge.
- 2. I am appointed as a Guardian of the testator's minor child(ren) in the event of his death (and the other parent predeceasing) under the Will which will be registered at the DIFC Wills and Probate Registry.
- 3. I confirm that I accept my appointment and I undertake to assume parental responsibility for the above named child in accordance with Rule 86 of the DIFC Wills and Probate Registry Rules and in accordance with DIFC law.
- 4. I confirm that I submit to the jurisdiction of the DIFC Courts.

I BELIEVE THAT THE FACTS STATED IN THIS WITNESS STATEMENT ARE TRUE.

SIGNED:	
NAME:	DATE:

WITNESS STATEMENT ON BEHALF OF AN EXECUTOR UNDER RULE 27 AND RULE 70.

IN THE ESTATE OF [NAME] DECEASED

I (full name) of (address) say as follows:

- 1. Unless otherwise stated (in which case I state the source of my belief), the facts and matters set out in this witness statement are within my own knowledge.
- 2. The above named deceased was born on [date of birth]. He/she died on [date of death]. A death certificate issued by (authority of place of death) is attached to this witness statement at Exhibit [...].¹
- 3. The principal residence of the Deceased was [address of principal residence]. His nationality on death was [nationality].
- 4. I was appointed as an Executor under the Will of (testator) which was executed before the Registrar and registered with the DIFC Wills and Probate Registry on [date].
- 5. I confirm that I undertake to administer the Estate of the above named testator in accordance with the DIFC Wills and Probate Registry Rules, the DIFC Court Rules (RDC) and I confirm that I submit to the jurisdiction of the DIFC Courts.

I BELIEVE THAT THE FACTS STATED IN THIS WITNESS STATEMENT ARE TRUE.

SIGNED:	
NAME:	DATE:

¹ In accordance with the Rule 27(3) of the WPR Rules, a Grant may be issued on the fact of death being otherwise proved to the satisfaction of the Director.

WITNESS STATEMENT ON BEHALF OF A GUARDIAN UNDER RULE 86

IN THE ESTATE OF [NAME] DECEASED

I (full name) of (address) say as follows:

- 1. Unless otherwise stated (in which case I state the source of my belief), the facts and matters set out in this witness statement are within my own knowledge.
- 2. The above named deceased was born on [date of birth]. He/she died on [date of death]. A death certificate² issued by (authority of place of death) is attached to this witness statement at Exhibit [...].
- 3. I was appointed as a Guardian of the testator's minor child(ren) in the event of his death (and the other parent predeceasing) under the Will executed before the Registrar and registered with the DIFC Wills and Probate Registry on [date]. I gave the undertakings required by Rule 10 of the DIFC Wills and Probate Registry Rules to the Registrar personally on [date]/by witness statement [dated].
- 4. I confirm that I assume (interim) parental responsibility of the above named child in accordance with the DIFC Wills and Probate Registry Rules, the DIFC Court Rules (RDC) and I confirm that I submit to the jurisdiction of the DIFC Courts.

I BELIEVE THAT THE FACTS STATED IN THIS WITNESS STATEMENT ARE TRUE.

SIGNED:	
NAME:	DATE:

 $^{^2}$ In accordance with the Rule 27(3) of the WPR Rules, a Grant may be issued on the fact of death being otherwise proved to the satisfaction of the Director.