



مداكم  
**DIFC**  
COURTS

# 2019 SCHEDULE OF FEES

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(Effective from 1 May 2019)



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## Article I. Court of First Instance (CFI)

### (A) Part 7 claims

- (1) Fees applicable to claims filed under Part 7 of the Rules of the DIFC Courts ('RDC') shall be on the following scale ('Scale'):

Claim Value	Fee
Up to and including US\$ 500,000	5% of the value of the claim and/or the property with a minimum of US\$ 1,500
US\$ 500,000 - US\$ 1 million	US\$ 25,000 + 1% over US\$ 500,000
US\$ 1 million - US\$ 5 million	US\$ 30,000 + 0.5% over US\$ 1 million
US\$ 5 million - US\$ 10 million	US\$ 50,000 + 0.4% over US\$ 5 million
US\$ 10 million - US\$ 50 million	US\$ 70,000 + 0.15% over US\$ 10 million
Over 50 million	US\$ 130,000

- (2) This amount will include the hearing fees for any in-chambers meetings, one Case Management Conference ('CMC'), one Pre-Trial Review and up to 3 days of trial. Any additional filings or hearings will be charged in line with the provisions below.
- (3) Claimants who file Part 7 claims after 1 May 2019 shall pay the relevant filing fees, as prescribed by the Scale, according to the following timelines:
- 35% of the relevant filing fee shall be paid within 7 days from the date of filing the claim;
  - the next 35% of the filing fee shall be paid within 10 days from the date of listing the CMC (the 'CMC Portion'); and
  - the final 30% of the filing fee shall be paid within 10 days from the date of listing the Pre-Trial Review (the 'Pre-Trial Portion').
- (4) The General Rules about Costs, including recoverability of costs, under Part 38 of the RDC apply, as supplemented by Practice Direction 6 of 2016 regarding indemnity costs.

### (B) Arbitration claims

- (1) Fees applicable to claims filed pursuant to Articles 41, 42 and/or 43 of the DIFC Arbitration Law, DIFC Law No. 1 of 2008, as amended, shall be on the following scale:

Claim Value	Fee
Up to and including US\$ 500,000	5% of the value of the claim and/or the property with a minimum of US\$ 1,500
US\$ 500,000 - US\$ 1 million	US\$ 25,000 + 1% over US\$ 500,000
US\$ 1 million - US\$ 5 million	US\$ 30,000 + 0.5% over US\$ 1 million
US\$ 5 million - US\$ 10 million	US\$ 50,000 + 0.4% over US\$ 5 million
US\$ 10 million - US\$ 50 million	US\$ 70,000 + 0.15% over US\$ 10 million
Over 50 million	US\$ 130,000

- (2) At the time of filing, only 50% of the above mentioned fee shall be payable. In the event that the claim is unopposed, no further fees shall be payable by the Claimant. In the event that the claim is opposed or contested, the remaining 50% will be payable by the Claimant 7 days after the Defendant/Respondent in the matter files the relevant documents to defend.
- (3) The General Rules about Costs, including recoverability of costs, under Part 38 of the RDC apply, as supplemented by Practice Direction 6 of 2016 regarding indemnity costs.

**(C) All other claims**

- (1) The fee applicable to all other claims shall be US\$ 5,000, unless the Registrar directs otherwise.
- (2) All other claims include, but are not limited to:
  - (a) Part 8 claims;
  - (b) winding-up petitions;
  - (c) Arbitration Claims (as defined in Rule 43(2)(3) of the RDC) other than those subject to Article B(1) above;
  - (d) unquantified damages claims;
  - (e) proceedings for judicial review; and
  - (f) Grant of Probate applications.

**(D) Filing Proceedings against a party or parties not named in originating proceedings**

The fee applicable shall be US\$ 500.

**Notes**

1. Where a claim is both for money and for other relief (whether cumulatively or in the alternative), a Part 7 claim form should be used and only the higher applicable fee, being that for a Part 7 Claim, will be payable.
2. For a claim made by way of counter claim, the same fee shall be payable as if the relief or remedy sought were the subject of separate proceedings.
3. Where a claim or counter claim is amended so that a higher fee would have been payable if it had been so drawn originally, the party making the amendment shall pay the difference.
4. Where a claim or counter claim is said to be for an unspecified amount, an amount to be determined by the Courts or for an amount which reasonably appears to the DIFC Courts to be less than the actual amount of the claim or counter claim, the DIFC Courts may impose such fees as it considers reasonable and which are based on the fees set out in this Schedule.
5. For the avoidance of doubt, the fees applicable to claims to recognise and/or enforce judgments from other courts pursuant to common law principles shall be those applicable to Part 7 claims. In other words, a claim for the recognition and enforcement of a foreign judgment (including claims in accordance with a court-to-court memorandum of guidance) must be made by way of a Part 7 claim, not by way of Part 8 claim.
6. Paragraph 5 above does not apply to applications to enforce judgments to be granted enforcement pursuant to a treaty or convention, including from, among others, Courts in the UAE or GCC, which are to be filed as enforcement claims rather than claims for recognition or ratification.
7. Where a claim is commenced under Part 8, but is remitted to Part 7 in accordance with RDC 8.3 – 8.4 due to inappropriate use of the Part 8 procedure, the filing party will be liable to pay the difference in filing fees between the Part 8 and Part 7 claim.
8. The CMC Portion and Pre-Trial Portion shall be paid according to the timelines referred to above under paragraph 3 of heading 'A (Part 7 Claims)'. If the Claimant fails to comply with paragraph 3 within the time prescribed, the Registry will close the case unless an extension of time is granted by the Registrar.

## Article II. Applications

### (A) Ordinary applications

- (1) Fee for applications without a hearing: US\$ 300.
- (2) Fee for applications likely to require an oral hearing of two hours or less: US\$ 1,000.

### (B) Heavy applications

- (1) Heavy applications must include, but are not limited to:
  - (a) an application contesting jurisdiction;
  - (b) an application seeking to strike out all or part of a statement of case, submission or evidence filed; and
  - (c) an application for immediate judgment.
- (2) Fee for applications likely to require an oral hearing lasting more than two hours: US\$ 2,000.

### (C) Probate related Applications

#### (1) Application for a Grant

- (a) fee for filing an application for a Grant of Probate shall be US\$ 1,500;
- (b) fee for filing an application for Guardianship shall be US\$ 1,500; and
- (c) fee for filing both an application for a Grant of Probate and an application for Guardianship in respect of the same deceased person shall be US\$ 1,500, plus any applicable DIFC Courts' fee.

#### (2) Special applications

Fee for a duplicate or second or subsequent Grant (including one following a revoked Grant) in respect of the same deceased person shall be US\$ 520 plus any applicable DIFC Courts' fee.

#### (3) Notification

Fee for an application for or relating to the issue of a notification to accept or refuse or take a Grant or to prove a Will by probate claim shall be US\$ 600, plus any applicable DIFC Courts' fee.

#### (4) Objection

Fee for the entry or the extension of an objection shall be US\$ 600, plus any applicable DIFC Courts' fee.

#### (5) Search

Fee for an application for a standing search to be carried out in an estate, for a period of six months including the issue of a copy Grant and Will, if any (irrespective of the number of pages) shall be US\$ 410.

### (D) Letter applications

- (1) From time to time, and in the absence of a prescribed form under the RDC, the Registrar or a Practice Direction may direct that a letter application be filed (along with supporting documents) by an applicant party.
- (2) Fee for applications made by letter without a hearing: US\$ 300.
- (3) Fee for applications made by letter likely to require an oral hearing of two hours or less: US\$ 1,000.
- (4) Fee for applications made by letter likely to require an oral hearing lasting more than two hours: US\$ 2,000.

## Notes

1. The fee in Article II(A)(2) will include a maximum of a two-hour hearing for the relief sought.
2. The fee in Article II(B)(2) will include a maximum of a one-day hearing for the relief sought.
3. The above fee is payable whenever an application notice is received by the Registry.
4. The above fee also applies to applications made by way of letter or email, or pursuant to another Rule, whether on or without notice, with the exception of applications made orally at a hearing.
5. Where an application is amended so as to request a hearing where none was previously sought, an additional Court fee in line with the above will be payable. The Registrar or Judge shall have the discretion to determine, on a case-by-case basis, which party shall pay the additional fee.
6. Where an application is amended seeking a longer duration for the hearing, so as to classify that application as a heavy rather than ordinary application, an additional Court fee in line with the above will be payable. The Registrar or Judge shall have the discretion to determine, on a case-by-case basis, which party shall pay the additional fee.

## Article III. Penalties

### (A) Late filing fees

A late filing fee of US\$ 200 may be charged for every day that a document(s) to be filed pursuant to a Rule, Direction or Order of the Court is filed late with the Court.

### (B) Issuing of amended orders/sealed documents

Where an amended order or court sealed document must be issued due to an error on the form resulting from an error or misrepresentation made by a party, a fee of US\$ 300 will be charged by the Registry to that party, for the issuing of a new Order.

### (C) Late identification of assets (probate)

A fee of US\$ 300 shall be chargeable for the late identification of assets. The fee will apply to the administrative costs (including the issuing of a further Probate Order and Deputation Letter) associated with the late identification of assets.

## Notes

1. Parties filing documents after the deadline to do so has passed, even if filed on the same day, may be charged a late filing fee.
2. Upon written application, which may be made by way of letter, the Registrar or a Judge of the DIFC Courts shall have the discretion to vary, suspend or waive any and all late filing fees that are applied.

## Article IV. Hearings

### (A) Hearing fees

- (1) The following fees will be applicable in the event that the hearing fee is not already encompassed within another fee chargeable at the time of filing.
- (2) The fee for a hearing of up to one day shall be US\$ 1,000.
- (3) The fee for each half-day of a hearing after the first day shall be US\$ 500.

## **(B) Video Conferencing Facilities**

The fee for the use of video conferencing facilities shall be US\$ 1,000 per day.

### **Notes**

1. The fee shall be paid when the hearing is set down by the DIFC Courts, based on the number of days agreed by the parties or, failing agreement, as determined by the DIFC Courts.
2. Fees for any overrun shall be paid prior to the expiry of the period for which the hearing was originally set down.
3. With regard to hearings by telephone or video conference, the costs of the transmission will initially be the responsibility of, and must be met by, the party requesting the telephone or video conferencing facility. Such costs will be invoiced in addition to the setting down for a hearing fee.

## **Article V. Court of Appeal (CA)**

### **(A) Appellants and respondents notices**

The fee for filing an Appellant's Notice or a Respondent's Notice shall be US\$ 5,000.

### **Notes**

1. The fee in Article V(A) shall include a one-day hearing before the Court of Appeal.
2. For a cross-appeal, the same fees as payable as for an appeal.
3. Setting down for hearing fees under Article IV applies to appeal hearings.

## **Article VI. Enforcement (ENF)**

### **(A) Enforcement of DIFC Courts judgments or orders in the DIFC**

The fee for enforcing DIFC Court judgments or orders under Part 48 of the RDC shall be US\$ 100.

### **(B) Enforcement of non-DIFC Courts judgments or orders in the DIFC**

The fee for enforcing judgments or orders made outside of the DIFC Courts shall be 1% of the value of the judgment or order, with a minimum of US\$ 100 and capped at US\$ 20,000.

### **(C) Enforcement of DIFC Courts orders outside of the DIFC**

The fee for a letter or information from the DIFC Courts to enforce outside of the DIFC shall be US\$ 100.

### **(D) All other enforcement applications**

The fee for any other enforcement applications at the DIFC Courts shall be US\$ 300.

## Notes

1. Enforcement as per the above does not apply to the ratification and/or recognition of arbitral awards or judgments of other courts. See Article I.
2. Fees for enforcement applications are to be paid by the applicant (regardless of whether the applicant is the judgment creditor), to the Court upon the filing of an enforcement application.

## Article VII. Determination of Costs

### (A) Notice of commencement of assessment

The fee for commencing detailed assessment proceedings, under Part 40.5 of the RDC, is 7.5% of the sum claimed in the bill of costs, capped at US\$ 130,000. The fee will include up to 3 days of hearing. If the hearing exceeds 3 days, the fees chargeable beyond the 3 days shall be as provided for in Article IV of this Schedule.

### (B) Default Cost Certificates

The fee for a default costs certificate or certificate for an agreed amount shall be US\$ 300.

## Notes

1. A separate setting down fee for the detailed costs assessment hearing shall apply (see Article IV. Hearings).
2. Where the sum certified in a final costs certificate includes costs certified in an interim certificate in respect of which a fee has been paid, the fee for the final costs certificate shall be correspondingly reduced.

## Article VIII. Small Claims Tribunal (SCT)

### (A) Employment claims

- (1) The fee for filing an employment claim shall be 2% of the value of the claim with a minimum fee of US\$ 100.
- (2) The fee for filing an appeal to the CFI following an employment claim in the SCT shall be 1% of the value of the claim with a minimum fee of US\$ 100.

### (B) All other claims

- (1) The fee for filing all other claims shall be 5% of the value of the claim with a minimum fee of US\$ 100.
- (2) The fee for filing an appeal to the CFI following any other claim in the SCT shall be 2.5% of the value of the claim with a minimum fee of US\$ 100.



## (C) Applications

- (1) Applications seeking a fee waiver or suspension or reduction shall be free of charge and subject to the discretion of the SCT Registrar.
- (2) The fee for all other applications shall be US\$ 50.

### Notes

1. For a claim made by way of counter claim, the same fee shall be payable as if the relief or remedy sought were the subject of separate proceedings.
2. The fees for a Part 7 claim will apply to cases that are transferred from the SCT to the CFI pursuant to RDC 53.37

## Article IX. The DIFC Wills Service Centre

The following fees are charged by the DIFC Wills Service Centre in relation to the registration of DIFC Wills.

### (A) Full Will

Type	Fee
Full Will (Form 1)	Single Will: AED 10,000
Full Will at the Central Wills Service	Mirror Wills*: AED 15,000 (*Two Wills between a husband and wife)

### (B) Guardianship Will

Type	Fee
Guardianship Will (Form 2)	Single Will: AED 5,000
Guardianship Will at the Central Wills Service	Mirror Wills*: AED 7,500 (*Two Wills between a husband and wife)

### (C) Property Will

Type	Fee
Property Will (Form 3)	Single Will: AED 7,500
Property Will at the Central Wills Service or Virtual Registry	Mirror Wills*: AED 10,000 (*Two Wills between a husband and wife)

## (D) Business Owners Will

Type	Fee
Business Owners Will (Form 4)	Single Will: AED 5,000
Business Owners Will at the Central Wills Service or Virtual Registry	Mirror Wills*: AED 7,500  (*Two Wills between a husband and wife)

## (E) Financial Assets Wills

Type	Fee
Financial Assets Will (Form 5)	Single Will: AED 5,000
Financial Assets Will at the Central Wills Service or Virtual Registry	Mirror Wills*: AED 7,500  (*Two Wills between a husband and wife)

## (F) Other fees

Type	Description	Fee
Will Modification	Modification of any DIFC Will. All modifications to be made at the Central Wills Service.	AED 550
Inspection	On inspection of any will or other document (in the presence of a Compliance Officer)	AED 375
Withdrawal of Will	On the withdrawal of any will or other document (in the presence of a Compliance Officer)	AED 0
Search	On an application for a standing search to be carried out in an estate, for each period	AED 1,500
Copy Documents	On a request for a copy of any document whether or not provided as a certified copy: <b>(a)</b> for the first copy. <b>(b)</b> for every subsequent copy of the same document if supplied at the same time. <b>(c)</b> where copies of any document are made available on a computer disk or in other electronic form, for each such copy. <b>(d)</b> where a search of the index is required, in addition to fee F(a), F(b) or F(c) as appropriate, for each period of 4 years searched after the first 4 years.	AED 7  AED 3  AED 165 (including a USB stick)  AED 240

\*Unless otherwise stated, all DIFC Will pre-registration checks are to be carried out at the Central Wills Service (being the DIFC Wills Service Centre situated in the DIFC).

## Article X. Transcripts, Recordings and Photocopies

### (A) Transcripts of hearings

- (1) Fees applicable to the production of a transcript shall be on the following scale:
  - (a) US\$ 385 per audio hour for overnight turnaround
  - (b) US\$ 337 per audio hour for 2 working-day turnaround
  - (c) US\$ 298 per audio hour for 4 working-day turnaround
  - (d) US\$ 248 per audio hour for 7 working-day turnaround
  - (e) US\$ 585 per audio hour for processing on a weekend or Public Holiday
- (2) In accordance with RDC 35.99 of the Rules of the DIFC Courts, should a party wish to request the DIFC Courts to have a transcript of any hearing(s) drawn up, the Court shall charge an administrative fee of US\$ 300 for the handling of such a request, in addition to the applicable third party charges detailed in Paragraph 1 above.

### (B) Recordings of hearings

- (1) The fee for recording of a hearing shall be US\$ 300 per CD of recording (8 hours of recording per disc).

### (C) Photocopies

- (1) The fee for photocopies of documents shall be US\$ 2 for the first page and US\$ 1 for each subsequent page.

#### Notes

1. Payment for transcripts must be made before the transcript can be provided to the requesting party.
2. Transcripts requested on overnight turnaround will be delivered, if paid for, by no later than 2pm UAE time the following day.
3. A full day's hearing cannot be transcribed on overnight turnaround without advance notice being given to the DIFC Courts Registry.
4. The Courts' external transcription providers are based in the UK, and work from Monday to Friday. Their weekend falls on Saturday and Sunday.
5. The Registry's working days are from Sunday to Thursday. The Registry's weekend falls on Friday and Saturday.
6. A transcript cannot be processed on an overnight basis on the weekend (being Friday to Sunday inclusive) or on a Public Holiday without at least one week's notice being given to the DIFC Courts' Registry.
7. A weekend means a UK weekend, being Saturday and Sunday.
8. A Public Holiday means either a UAE public holiday or a UK bank holiday.
9. Once a transcript has been drawn up, it will be available to all the parties to a case and will be placed in the DIFC Courts eRegistry.
10. There is no fee for downloading soft copies of documents via the eRegistry available via the DIFC Courts' website.
11. The above fee for photocopies also applies to photocopies of documents from the DIFC Courts library and documents to be printed by the Court at the request of the parties.

## **Article XI. Fee Waiver**

Pursuant to a delegation of authority ('Authority') prepared by the Chief Justice on 29 October 2015, the Registrar, Deputy Registrar and Assistant Registrar are individually authorised to determine requests for the waiver or suspension of Court fees, other than as already provided for in Practice Direction 4 of 2015. The Authority is only in relation to requests for suspension or waiver of fees not exceeding AED 150,000.

## **Article XII. General Information**

All of the above mentioned fees are payable in UAE Dirhams or their equivalent in United States Dollars (at the conversion rates of US\$ 1:AED 3.675 or as otherwise determined by the DIFC Courts from time to time).

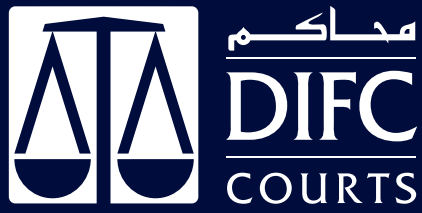
All invoices, at the outset, will be issued as pro forma invoices. Once payment is made towards that invoice, the paying party shall receive the final invoice and receipt for their records.

In an effort to promote the most efficient handling of cases and allocation of resources, and in line with the DIFC Courts' paperless initiative, parties are encouraged to use the DIFC Courts' e-filing facility for the filing of court documents.

Please note that a 40% surcharge will be added to the applicable fees for any document filed with the Registry for the Court of First Instance or Court of Appeal by means other than the e-filing facility.

For further information, please visit [www.difccourts.ae](http://www.difccourts.ae) or contact the Registry on +971 4 427 3333 or [registry@difccourts.ae](mailto:registry@difccourts.ae)





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