

# Annex B

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# Format for providing public comments to DIFCA on Consultation Paper No.1 of 2022

# Proposed Amendments to the Real Property Law DIFC Law No. 10 of 2018

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| Note 1: DIFCA reserves the right to publish, including on its website, any comments you provide. However, if you wish to remain anonymous, you must expressly request at the time of making comments that this should be the case.  Note 2: The second column, ‘comments on proposed policy’ relates to the policy explained in the CP paragraphs specified. The third column, ‘comments on legislation’ refers to the draft legislation reflecting the proposed policy.  Note 3: It is possible that you may not have any comments, either on the proposed policy or draft legislation, or may have comments on one and not the other. You may leave a blank column if you either agree to the proposed position, or you have no concerns relating it.  Note 4: If there are any ambiguities relating to the proposed policy or draft legislation, you may raise those in your comments. |

| **Name of individual / entity providing comments:** |  |
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| No. | Comments on proposed policy | Comments on legislation |
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| Removal of right of Foreclosure | | |
| Q1: Do you agree that there is a contradiction in the intention of the Real Property Law between the foreclosure remedy in favour of a Mortgagee under Articles 63(1)(e) and 70 and the equity of redemption principles under Article 58? If not, please provide details. | | |
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| Q2: Do you have any further comments in this regard that you would like to be taken into consideration? | | |
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| The exercise of a Power of Sale by a Mortgagee | | |
| Q3: Do you agree that a Mortgagee should not have to obtain a Court Order in order to exercise a power of sale upon the default of a mortgage by a Mortgagor? If not, please provide details. | | |
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| Q4: Do you agree with the removal of the provision at Article 67(1) relating to the payment of sale proceeds into the Court? If not, please provide details. details | | |
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| Q5: Are there any other issues arising in connection with the powers of Mortgagees in the Real Property Law which are in your opinion not adequately or appropriately dealt with or need further clarification? If so, please provide details. | | |
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| Miscellaneous enhancements | | |
| Q6: Do you have comments with regards to this proposed amendment? | | |
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| Miscellaneous or general comments | | |
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