Leaving the UAE? What renders you Non-Tax Resident?

Due to the nature of Citizenship in the UAE, it can be quite difficult to achieve absolute permanent residency. The population of workers and expatriates is therefore transient and ever-changing, but how can they ensure their exit from the UAE is legal and orderly, and will not present them with tax issues when they return to the home country?

This document is a practical, legally grounded checklist for UAE residents who clearly and defensibly wish to cease being UAE tax residents under current UAE law (as of 2026).

1. Understand What Makes You UAE Tax Resident (So You Can Unwind It)

UAE tax residency for individuals is defined by Cabinet Decision No. 85 of 2022, effective 1 March 2023, and clarified by Ministerial Decision No. 27 of 2023.

You are considered a UAE tax resident if any one of the following applies during a consecutive 12-month period:

1. 183-day presence test
   You are physically present in the UAE for 183 days or more
2. 90-day conditional test
   You are present in the UAE for 90 days or more and:

- you hold a UAE residence visa (or are UAE/GCC national), and
- you have a permanent place of residence or employment / business in the UAE

3. Centre of life test
   Your primary place of residence and centre of financial and personal interests are in the UAE, regardless of days spent
   To become non-resident, you must ensure that **none** of these tests apply.

2. Physically Leave the UAE and Control Day Count

- Leave the UAE and remain below 90 days of presence in any rolling 12-month period
- Keep immigration entry/exit reports as evidence

Why it matters

Day count remains the clearest and least subjective factor in residency determinations.

Practical takeaway: If you stay under 90 days, the other two tests become much harder for authorities to argue.

3. Cancel or Allow Expiry of Your UAE Residence Visa

What to do

- Cancel your residence visa (employment, investor, freelancer, golden visa, etc.), or
- Let it expire without renewal

Why it matters

Under the 90-day test, **holding a valid residence permit is one of the core qualifying conditions for tax residency.**

Note: Visa status alone does not determine tax residency, but having one strengthens the case that you remain connected to the UAE.

4. Dispose of, or Sever Access to a "Permanent Place of Residence" in the UAE

What qualifies as a permanent place of residence?

A place available to you at all times, not short-term accommodation or hotels.

What to do

- Terminate long-term leases
- Sell or cease access to owner-occupied property
- Return Ejari / tenancy contracts
- Avoid keeping accommodation available for your exclusive use

Why it matters

Both the **90-day test and the centre-of-life test rely heavily on housing availability.**

5. Cease Employment and Active Business in the UAE

Employment

- End UAE employment
- Deregister from payroll where applicable

Business

- Close sole establishments
- Deregister from economic licenses if you are the operator
- Ensure you are not actively carrying on business in your personal capacity

Why it matters

Carrying on a business or employment in the UAE is a decisive factor under the 90-day test and centre-of-interest analysis.

6. Shift Your "Centre of Financial and Personal Interests" Abroad

This is the most subjective test, but also the one foreign tax authorities care about most.

Principal indicators that should be seen to be abroad:

- Main home
- Family residence
- Primary bank accounts and credit cards
- Main source of income
- Social, personal, and professional ties

Why it matters

Even without day-count thresholds, **the UAE can consider you resident if your economic and personal life remains centered in the UAE.**

7. Deregister Where Relevant with UAE Tax & Licensing Authorities

Depending on your situation:

- Corporate Tax: deregister as a natural person if you were registered for business income
- VAT: deregister if previously registered
- Economic licences: cancel mainland or free zone licences

Why this matters: **Maintaining tax registrations can undermine a non-residency narrative**, particularly during audits or foreign treaty claims.

8. Do *Not* Apply for a UAE Tax Residency Certificate After Exit

A Tax Residency Certificate (TRC) explicitly certifies UAE tax residency for a given period and is often used under tax treaties.

- Applying for or holding a TRC after exiting can contradict a non-residency position
- TRCs are only issued to persons who meet residency criteria for the relevant 12-month period

9. Establish Tax Residency Elsewhere

While not a UAE legal requirement, this is crucial in practice:

- Register as a tax resident in your new country
- Obtain a foreign tax ID
- Establish a primary home
- Begin filing tax returns

This reduces the risk of:

- Dual residency disputes
- Being treated as a "nowhere resident" (which some countries challenge aggressively)

10. Keep an Exit Evidence File

Maintain a simple folder containing:

- Exit stamps and immigration report
- Visa cancellation confirmation
- Lease termination documents
- Employment resignation or business closure documentation
- Proof of new foreign residence

These are commonly requested during:

- Bank reviews
- Foreign tax audits
- Treaty applications

Summary: The Defensive Non-Residency Checklist

Area	Action Required
Physical presence	Stay under 90 days
Visa	Cancel or let expire
Housing	Give up permanent access
Work/business	Cease UAE activity
Personal ties	Shift life abroad
Tax registrations	Deregister where applicable
TRC	Do not obtain
Foreign residency	Establish clearly

Final note

The UAE does not issue a "certificate of non-residency". Non-residency is established by facts and evidence, not by a single filing.

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NB This is not tax advice and cannot be because each person needs to consider the relevant law, facts and circumstances if and when they wish to exit the UAE.