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# Inheritance and Family Law in the UAE

As part of the ongoing legal reform in the United Arab Emirates (UAE), the state has taken significant steps to modernize the regulation of personal status matters, including family and inheritance relations. These changes are particularly relevant for foreign residents living in the UAE and are aimed at ensuring greater flexibility, legal certainty, and respect for the country's multicultural population.

## **Inheritance Law**

Under current UAE legislation, non-Muslim residents have the right to choose the applicable law governing inheritance matters. This means that it is now possible to deviate from Sharia law in favor of rules set out in a will drafted under a different legal system, including the law of the testator's country of citizenship.

## Form and Registration of Wills

The option to exclude Sharia-based rules is made possible through the drafting and proper registration of a will. There are two main methods for preparing a will:

- With a notary licensed by the judicial authority of the Emirate of Dubai;
- Within the Dubai International Financial Centre (DIFC) free zone jurisdiction, through the DIFC Wills Service Centre.

The will can be registered online without requiring physical presence in the UAE. It may cover assets both within and outside the UAE. There are no basic restrictions on who can be named as a beneficiary—property can be bequeathed to any individual at the discretion of the testator, including to legal entities.

## Family Law

The regulation of family and marital relations in the UAE depends on the religious affiliation of the parties. Sharia law applies to Muslims, while federal legislation governs the affairs of non-Muslims. As a general rule, foreign nationals who are Muslim fall under the provisions of Sharia law.

## Marriage Registration

Marriage may be concluded through several methods:

- **At the consulate of the parties' country of citizenship** — specific procedures may apply in mixed marriages, depending on consular rules;
- **Through UAE courts** — registration is available in both Dubai and Abu Dhabi.

## Key Features of Marriage Procedures

- In Abu Dhabi, a marriage can be registered if at least one party has a valid Emirates ID;
- In Dubai, a legalized certificate of no-marriage from the parties' home country must be provided;
- Medical tests are not required;
- The marriage procedure is conducted offline and is usually completed promptly;
- For civil marriages between non-Muslims, a woman's guardian's consent and payment of \*mahr\* (bridal gift) are not required.

## Recent Developments

As of April 2025, Federal Decree-Law No. (41) of 2024 on the Issuance of the Personal Status Law (the "Law") came into effect in the UAE.

This new law replaces the former Law No. 28 of 2005 on Personal Status and forms a central element of a broader legal reform in the area of family and inheritance matters. It applies to both UAE nationals and foreign individuals, including Muslims and non-Muslims.

## Key Innovations Include:

- For the first time at the federal level, it is expressly stated that a will remains legally valid even if the heir follows a different religion from the testator;

- A dedicated judicial role has been introduced for judges handling inheritance matters, authorized to establish death, identify heirs, and determine distribution of estate;
- Inheritance disputes and will execution cases have been excluded from mandatory conciliation procedures—allowing parties to go directly to court;
- Grounds for divorce have been expanded to include prolonged absence and domestic violence;
- Mandatory content requirements have been introduced for prenuptial agreements.

The UAE is thus establishing a flexible legal framework capable of accommodating a wide range of national, cultural, and religious backgrounds—while maintaining a high degree of legal certainty and access to justice.

We are happy to advise you on all matters relating to the application of UAE legislation in the field of inheritance and family law and can provide practical guidance on drafting wills, registering marriages, and protecting rights in international family relations.





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