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# Inheritance and Family Law in Saudi Arabia

Saudi Arabia has one of the most distinct and religiously-oriented legal systems in the world. Its family and inheritance law is predominantly based on Islamic law (Sharia), particularly the Hanbali school of jurisprudence, with a recent increase in the role of codified legislation and judicial practice.

In 2022, as part of the Vision 2030 program, the authorities introduced a series of reforms aimed at organizing the legal framework, including the enactment of the Personal Status Law (hereinafter the "**Law**"), which marked a significant step toward standardization and increased predictability in family matters. The reform process continued with the issuance of the Implementing Regulations on 21 February 2025, intended to detail and ensure the effective enforcement of the Law's provisions.

## Inheritance Law

Inheritance in Saudi Arabia is governed by Sharia principles, which impose strict rules for the distribution of assets among legal heirs such as spouses, children, parents, and siblings.

- All else being equal, male heirs receive a share that is twice the size of female heirs' shares (e.g., a son inherits twice as much as a daughter).
- A will may cover only one-third of the estate and must not infringe upon the rights of mandatory heirs (e.g., children, spouses, parents).

For foreign nationals residing in Saudi Arabia, the application of Sharia inheritance rules may pose challenges. In practice, courts may apply the law of the deceased's country of origin upon request and with proper supporting documentation. However, assets located within Saudi Arabia are generally distributed in accordance with Sharia principles.

The recent reforms in Saudi inheritance law have significantly modernized the process of estate distribution and dispute resolution:

- The new regulations promote greater transparency in the distribution of assets, eliminating prior legal uncertainties and expediting case resolution.
- The introduction of specialized inheritance courts reduces the burden on general courts and enhances case efficiency. Clear guidance to the judiciary has substantially shortened case timelines, ensuring heirs can rely on more predictable and timely outcomes.
- The strengthening of rights for mandatory heirs (spouses, children, and other close relatives) and the development of consistent judicial practice enhance the protection of inheritance rights within the bounds of the law.

## Family Law

The Personal Status Law codified many provisions that were previously governed solely by Sharia and court practice. The Law applies to Saudi citizens and Muslim residents; however, its applicability to non-Muslims is limited — as a general rule, their personal status is governed by the laws of their country of origin, unless the matter is being considered in a Saudi court.

- Marriage requires the consent of both parties and, generally, the provision of a mahr (a marriage gift granted to the bride). Underage marriages are restricted: the Law sets the minimum legal age for marriage at 18, with the possibility of obtaining judicial approval in exceptional cases.
- Divorce in Saudi Arabia may be initiated by either spouse, but in practice, the process is significantly more complex for women and requires justification. Nevertheless, the Law has strengthened the legal protections for women, including the right to initiate divorce proceedings without male consent in cases involving violations of their rights.
- Child custody traditionally defaults to the father; however, courts are increasingly guided by the best interests of the child. According to the new rules, in cases of divorce, custody is initially granted to the mother, followed by a prescribed order (father, maternal grandmother, paternal grandmother). The final decision rests with the court, based on the child's welfare.

Amid these ongoing reforms, Saudi Arabia's legal environment is gradually becoming more predictable, particularly in the area of family law. Nevertheless, inheritance regulations continue to reflect a religious foundation, which should be carefully considered when drafting wills or structuring cross-border assets. For foreign businesses and individuals, it is critically important to account for local restrictions on asset transfers and to plan inheritance matters in accordance with Sharia rules.

We would be pleased to provide legal advice on family and inheritance matters in Saudi Arabia and to offer comprehensive support in document preparation and interaction with local authorities.

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