Section 1 of the guide: Inheriting property in Dubai: wills, heirs, and what to arrange when you buy

What applies today if there is no will

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Until 2023: the 2005 federal personal status law applied to everyone, and set a division according to Sharia. That is why many buyers still hear that "the property will be divided according to Sharia".

Since 1 February 2023: Federal Decree-Law No. 41 of 2022 on Civil Personal Status applies. It governs marriage, divorce, wills and inheritance for non-Muslim citizens, and for non-Muslim foreigners **who live in the UAE**. A person the law applies to can ask for the law of their home country to apply instead.

What the law says when there is no will: according to summaries by law firms of the inheritance provision of the law (Article 11), half of the estate in the UAE goes to the spouse, and the other half is divided among the children in equal shares, with no difference between sons and daughters. The heirs of a foreigner can ask for the law of the home country to apply, unless a registered will says otherwise.

Does this apply in Dubai? Yes. It is a federal law, and it applies in Dubai too. In addition, Dubai has its own law (Law No. 15 of 2017) governing the registration and execution of wills of non-Muslims at the Dubai Courts and at the DIFC Courts. Abu Dhabi has its own separate law for non-Muslims.

And if you do not live in the UAE? There is no clear-cut answer here. The law refers to foreigners who live in the UAE, and lawyers in Dubai disagree on how it applies to a property owner who lives abroad. According to the DIFC Wills Service Centre, when there is no will, the local laws of the emirate where the property is located apply. The law is also relatively new and has not yet been tested much in the courts. So a will registered in Dubai reduces the uncertainty. If one of the owners or spouses is Muslim, the picture can change, so check this with a lawyer.

The full guide on the site: u810properties.com/en-guide-inheritance

Do you have a question about inheriting property in Dubai?

If you want to arrange a will, I connect you with a lawyer.

Send a WhatsApp message →

The information is general and correct as of the update date. It is not legal advice or tax advice. For a will and inheritance planning you need a lawyer licensed in the UAE, and a lawyer in your country of residence.