

— THE JOURNAL

The new UAE *Personal Status Law.*

A clear-language summary of Federal Decree-Law No. (41) of 2024, what it changes for families and residents, and the practical points to consider.



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— COMMENTARY

The new law, *considered.*

The Journal returns. This issue examines the new UAE Personal Status Law and its relevance to marriage, divorce, custody, maintenance, guardianship, wills and inheritance — the legal architecture, in other words, that governs people’s closest relationships and what becomes of their assets when they are gone.

Family law touches people at sensitive moments in life: marriage planning, separation, disputes about children, the death of a family member, the administration of assets. The new law therefore matters not only because the legal text has changed, but because it may affect how family documents are prepared, how disputes are handled, which court hears a matter, and how UAE-connected estates are dealt with after death.

For expatriate and mixed-nationality families, applicable law can be particularly important. UAE residence, UAE assets, marriage abroad, children of different nationalities, or a particular religion may all affect the analysis. Inheritance, in turn, is shaped by asset location and the existence or absence of a valid will. None of this lends itself to assumption.

This issue sets out the main points in clear, practical language — what changed, why it matters, who should pay attention, and the practical steps that families and individuals connected to the UAE may wish to consider.



— STATUS AT A GLANCE

LAW / REFORM	New UAE Personal Status Law	EFFECTIVE DATE	15 April 2025
LEGAL INSTRUMENT	Federal Decree-Law No. (41) of 2024 On the Issuance of the Personal Status Law	MAIN AREA	Family law, marriage, divorce, custody, maintenance, guardianship, wills and inheritance
STATUS	In force	MAIN AUDIENCE	Families, spouses, parents, guardians, heirs and individuals with UAE family or estate matters

— THE LAW, IN DETAIL

1. What happened?

The UAE has issued Federal Decree-Law No. (41) of 2024 On the Issuance of the Personal Status Law. The law entered into force on 15 April 2025, replacing Federal Law No. (28) of 2005 Concerning Personal Status. This is a significant federal reform — personal status law governs family relationships, children, financial obligations between family members, inheritance, wills and estate administration.

For families, spouses, parents, heirs and residents, the new law matters not only because it changes the legal text, but because it may affect how family documents are prepared, how disputes are handled, which court hears a matter, and how UAE-connected estates are dealt with after death.

2. What changed?

The new law creates a refreshed federal framework for personal status matters. It should not be treated as a simple checklist — the result in any particular case may depend on nationality, religion, domicile, residence, family documents, the applicable law, the location of assets and the jurisdiction of the competent court. Key areas include:

- **Scope of application.** Rules on when the law applies to UAE citizens (including Muslim parties), non-Muslim UAE citizens subject to applicable exceptions, and non-UAE citizens subject to applicable-law choices permitted under UAE legislation.
- **Marriage and family-law matters.** Engagement, marriage contracts, capacity, consent, guardianship in marriage where applicable, dowry-related matters and the legal consequences of marriage.
- **Divorce and separation.** Divorce, *khul'*, judicial separation and related consequences — remaining fact-sensitive in every case.
- **Custody, visitation and maintenance.** Maintenance, custody, visitation, travel with children in custody, custody-related documents, and the role of the court where the child's interests are in issue.
- **Guardianship, wills, inheritance and estate handling.** Guardianship over persons and property, wills, inheritance, estate rights and estate administration; the role of the estate judge in proof of death, identification of heirs, inventory, liquidation, distribution and related disputes.
- **Court competence.** When UAE courts may hear personal status cases — including matters connected to a person's domicile, residence or place of work in the UAE, and rules on estate matters connected to a deceased person's UAE links or UAE assets.
- **Gregorian calendar durations.** Adopted unless otherwise stated — practically important for deadlines, ages, periods and procedural timing.
- **Family guidance and amicable resolution.** Certain disputes may be referred to family guidance before court, with stated exclusions; an approved reconciliation may have enforceable effect.
- **Implementing regulations.** Official materials refer to Federal Judicial Council regulatory decisions on arbitrators, family guidance, child visitation, affidavits and authentications, and Sharia marriage officers.

3. Why does it matter?

Family-law issues tend to arise during sensitive periods: marriage planning, separation, disputes about children, the death of a family member, the administration of assets. The new law may affect both personal arrangements and the formal documents that record them.

Marriage contracts, family agreements, wills, estate-planning documents and guardianship arrangements may need review. Families with UAE assets should also check whether property, bank accounts, company interests and other records are clearly documented and accessible. For expatriate and mixed-nationality families, applicable law can be particularly important — UAE residence, UAE assets, marriage abroad, children of different nationalities, or a particular religion may all affect the analysis. In inheritance and estate matters, asset location and the existence or absence of a valid will may also be critical.

— IN PRACTICE

4. Who should pay attention?

- Married couples.
- Individuals considering marriage in the UAE.
- Divorced or separating spouses.
- Parents dealing with custody, visitation or maintenance.
- Guardians and family members responsible for minors.
- Families with UAE assets.
- Heirs and beneficiaries.
- Expatriate families living in the UAE.
- Mixed-nationality families.
- Individuals who have not reviewed their wills or estate documents recently.

5. Practical points to consider

- Review marriage contracts and related documents.
- Review wills and estate-planning documents.
- Check whether UAE assets are properly recorded.
- Keep clear records of family agreements and financial arrangements.
- Review custody, visitation and travel arrangements involving children.
- Consider whether guardianship arrangements are clear.
- Understand which law may apply to the family matter.
- Prepare complete documents before filing or defending a family claim.
- Consider amicable resolution where appropriate.
- Obtain specific advice before relying on assumptions about divorce, custody, inheritance or applicable law.

IN CLOSING

The new Personal Status Law affects people, families and assets in direct and personal ways. Its practical effect will depend on the facts of each case, but the lesson is clear: family arrangements and estate documents deserve careful review — especially where there are children, cross-border elements, UAE assets or potential disputes between heirs.

“Above all, general family-law assumptions should not replace advice grounded in the specific facts.”



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SOURCES REVIEWED UAE federal legislation, Ministry of Justice publications, official authority publications, and publicly available regulatory materials.

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