

Documents Needed To Report A Deceased Estate

To report a deceased estate, you need to submit the following documents:

1. Original or a certified copy of the death certificate.
2. Original or certified copy of the marriage certificate/decreed of divorce (if any).
3. Original will.
4. Completed death notice.
5. Completed next-of-kin affidavit.
6. Completed inventory showing all the assets of the deceased.
7. Nominations by all the beneficiaries for the appointment of an executor and a certified copy of the executives ID.
8. Declaration of existing marriage.
9. List of creditors.
10. Acceptance of trust as executor/ Masters Representative (in duplicate) together with a certified copy of the ID of such applicant.

Important

- A Will must be in writing.
- You can sign your Will personally or ask someone to sign on your behalf but that must be done in the presence of a Commissioner of Oaths.
- Signing as a witness disqualifies you from receiving any benefit out of the Will, including being appointed as executor.



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IT

- e-newsletter
- Social Media
- darulihisan.com • you.org.za
- dou.org.za • alihsan.co.za • dad.org.za
- mmtsa.co.za • alihsanbookshop.co.za

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• Complementary items



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Johannesburg
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ISLAMIC WILL LEGAL GUIDANCE & MY FINAL ADVICES

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Legal guidance pertaining to the Last Will

- The execution of a Will is governed by the **Wills Act 7 of 1953**, as amended.
- The testator/testatrix must sign the Will with his/her usual signature. Such signature must be made in the presence of at least two witnesses.
- Such witnesses must attest and sign the Will in the presence of the testator/testatrix and of each other.
- Each page of the Will, except the last page, must be signed by the testator/testatrix and witnesses.
- If the Will is signed by the testator/testatrix by a mark, e.g. a thumb print, then a magistrate, justice of the peace, commissioner of oaths or notary public must certify at the end thereof as to the identity of the testator/testatrix and that the Will, so signed, is the Will of the testator/testatrix.
- In the case above, if the Will consists of more than one page, each page, except the final page, must also be signed by the magistrate, justice of the peace, commissioner of oaths or notary public who so certifies it.
- The Act prescribes that the certificate

be appended at the end of the Will. The certificate should be placed as close as possible to the testator's/testatrix's mark on the last page.

- Persons of the age of 16 years or over, of sound mind and memory and acting voluntarily may make a Will.
- Persons over the age of 14 years can witness a Will.
- A witness cannot sign by making a mark.
- A beneficiary/heir cannot sign as a witness.
- Any additions, deletions or other changes to the Will must be legibly and individually signed by the testator/testatrix and each witness in the margin corresponding to the changes.

Note: The Darul Ihsan Last Will is a standard document that is consistent with the Islamic Laws of Succession. Additional points that are consistent with the Shariah may be included in a separate document/codicil in consultaion with Ulama.

MY FINAL ADVICES

- Always seek to please Allah Ta'ala and do everything solely for His pleasure.
- Safeguard your Iman and practice on the Sunnah in all aspects of your life.
- Abstain from all sins and prohibitions. Lead a simple way of life and avoid extravagance.
- Always reflect over the purpose of life and remember death often.
- Please forgive my shortcomings. I seek your pardon and beseech all to forgive me.
- Ensure that Ghusl, Kafn (shrouding) and burial of my body is undertaken expeditiously in accordance with the Sunnah.
- Do not engage in any act which is against the Shariah and Sunnah, both at the time of my death and thereafter. There should be no wailing at my funeral.
- Always remember me in your duas and send the rewards of good acts that you perform to me.
- Keep the company of the pious and righteous servants of Allah Ta'ala, follow their teachings, serve them and have love for them.