

إِنَّا لِلَّهِ وَإِنَّآ إِلَيْهِ رَٰجِعُونَ

Innā lillāhi wa innā ilayhi rājiʿūn. Indeed we belong to Allah, and indeed to Him we will return. Qurʾān, al-Baqarah 2:156

We are sorry. Here is what happens next.

As soon as you can, call your masjid's funeral committee.

They will arrange the washing, the shroud, the prayer and the burial, and tell you which funeral company to use.

You do not have to do this alone, or all at once. Your masjid has done this many times. Follow the steps in order, and open each one when you reach it.

New This guide is new and has not yet been reviewed by people in Portugal. If something here is wrong or out of date where you live, please tell us at hello@lifeistemporary.com.

WHAT THE LAW SAYS IN PORTUGAL

Declaring the death

The death must be declared to the civil registry within 48 hours of the death (or of the autopsy, or of the decision not to hold one), at any registry office or Espaço Óbito desk. The funeral company usually does it; a relative present at the death, the hospital or an imam who was present may also declare it. It is free. Outside registry hours, including weekends, the police issue the paper that allows burial. gov.pt, Declarar um óbito; Justiça.gov.pt, Declarar um óbito; Decreto-Lei n.º 411/98, art. 9.º

Forensic autopsy

After a violent death or one of unknown cause, a forensic autopsy is held. The authorities may decide not to hold one if the clinical information, together with the other evidence, shows with certainty that there is no suspicion of a crime; it is never dispensed with after a work or road accident that killed at once. After an autopsy, the burial must take place within 48 hours of its end, so ask the forensic service early, in writing, to release the body quickly. Lei n.º 45/2004, art. 18.º (original text); Decreto-Lei n.º 411/98, art. 8.º

Burial deadlines and repatriation

No body may be buried until 24 hours after the death. If it was handed to the family straight away, it must be buried within 72 hours; after an autopsy, within 48 hours of its end. The health authority can order an earlier burial, in writing, only when there is no forensic autopsy and public health is at risk. To take a body abroad, the GNR or PSP issue the mortuary pass (livre-trânsito); the destination country's consulate sets its own conditions, so call it early. Decreto-Lei n.º 411/98, arts. 6.º and 8.º

Burial and graves

By road, a body for burial in a grave travels in a wooden coffin, and we found no national rule allowing burial in the shroud alone. The town hall can authorise burial places reserved for a particular religion, so ask the cemetery or the town hall about a Muslim plot. The Lisbon Central Mosque has a funeral room for preparing funerals. Decreto-Lei n.º 411/98, arts. 6.º and 11.º; Comunidade Islâmica de Lisboa

Heirs and the estate	A husband or wife and children together are reserved at least two thirds of the estate, whatever a will says, so ask a notary whether and how the estate can be divided by the Islamic shares. A declaration of heirs (habilitação de herdeiros) is needed whenever there is property to inherit; there is no deadline, and it costs at least €150. The person managing the estate must tell the tax office by the end of the third month after the month of the death. Guia do Espaço Óbito: Primeira vinda; Código Civil, arts. 2156.º to 2159.º
Death and funeral benefits	If the deceased paid into the Social Security, the family can claim a death benefit (subsídio por morte) of three times the IAS (€1,611.39 in 2026) within 180 days of the death being registered. Whoever paid for the funeral and has no right to it can claim a refund of funeral costs within 90 days of the death. If the deceased lived in Portugal and never paid into social security, the funeral benefit is €268.57, claimed within 6 months from the first day of the month after the death. Guia do Espaço Óbito: Primeira vinda; Segurança Social, Guias Práticos: Subsídio por Morte (2025) and Subsídio de Funeral (2026)

From official sources, checked October 2026. Laws change; your funeral company and a notary can confirm them.

WHERE YOU ARE

Portugal has one national law for declaring a death, burial and estates, and this guide describes that framework. Each cemetery sets its own rules, so ask it, or the town hall (câmara municipal), about Muslim plots and graves. We have not checked any separate rules in the Azores or Madeira.

1

Have the death confirmed

In the first hour

A doctor has to confirm the death and write the medical death certificate (certificado médico de óbito), if possible the same day. You need it to declare the death.

- [ ] In a hospital or care home, the staff usually arrange the certificate
- [ ] At home, call a doctor from your health centre or the emergency medical service (INEM)
- [ ] If the death was caused by an accident, a crime or an unknown cause, call the police (PSP or GNR) first
- [ ] In an emergency, call 112
- [ ] Tell the staff early that the family needs a quick burial for religious reasons

THE CERTIFICATE

It confirms the death and should be written the same day if possible. It is free, and a hospital sends it to the registry automatically. Justiça.gov.pt, Guia do Espaço Óbito: Primeiros passos (consultado em 10 de outubro de 2026) ; Justiça.gov.pt, Declarar um óbito (consultado em 10 de outubro de 2026)

and

Close the eyes, cover the body, make duʿā

In the first hour · at the same time as the step above

Gently and without hurry. Those present can do this while the calls are made.

- [ ] Close the eyes and the mouth
- [ ] Straighten the arms and legs
- [ ] Cover the body with a clean sheet
- [ ] Pray for them, and say only good

EVIDENCE

The Prophet ﷺ closed the eyes of Abū Salamah and prayed for him. Ṣaḥīḥ Muslim 920

2 Call the mosque's funeral service

In the first few hours

Many mosques and Muslim associations help with the washing, the shroud, the prayer and the burial, and know which funeral company (agência funerária) to use.

- [ ] Call the mosque's funeral service or the imam
- [ ] Tell them where the body is and who the next of kin is
- [ ] Agree a time for the ghusl and the janazah prayer

NO NUMBER?
Call the nearest large mosque. They will know who to call.

IN LISBON
The Lisbon Central Mosque has a funeral room with what is needed to prepare a funeral. Comunidade Islâmica de Lisboa, página inicial (consultado em 10 de outubro de 2026)

3 Ask whether there will be a forensic autopsy PAPERWORK

If the death was sudden or violent

If the death was violent, suspicious or of unknown cause, the judicial authorities are told and a forensic autopsy (autópsia médico-legal) may be held. The funeral waits until the body is released.

- [ ] Ask the police or the hospital whether the judicial authorities have been told
- [ ] Ask the forensic service, early and in writing, to release the body quickly for religious reasons
- [ ] Give the doctors any medical records: they can help show there is no suspicion of a crime

WHEN THERE IS ONE
A forensic autopsy is held after a violent death or one of unknown cause. The authorities may decide not to hold one if the clinical information, together with the other evidence, shows with certainty that there is no suspicion of a crime. It is never dispensed with after a work or road accident that killed at once. Lei n.º 45/2004, de 19 de agosto (regime jurídico das perícias médico-legais e forenses), arts. 15.º e 18.º, texto original (Diário da República n.º 195, I Série-A; alterada pelo Decreto-Lei n.º 53/2021)

THE DEADLINE AFTER

After an autopsy the burial must take place within 48 hours of its end, and the death must be declared within 48 hours of the autopsy or of the decision not to hold one. Decreto-Lei n.º 411/98, de 30 de dezembro (regime jurídico da remoção, transporte, inumação, exumação, trasladação e cremação de cadáveres), arts. 6.º, 8.º, 9.º e 11.º; texto consolidado publicado pela Câmara Municipal de São João da Madeira ; gov.pt, Declarar um óbito (atualizado em 31 de julho de 2026)

A HOSPITAL AUTOPSY

We have not confirmed the rules on an autopsy asked for by a hospital outside any investigation. If one is proposed, tell the doctor straight away that the family objects, and ask what the law allows.

4

Declare the death within 48 hours PAPERWORK

Within 48 hours

The death must be declared to the civil registry (registo civil) within 48 hours, at any registry office (conservatória) or at an Espaço Óbito desk. The funeral company usually does it for you. There can be no burial until the death is recorded.

- [ ] Let the funeral company declare it, or do it yourself
- [ ] If you go yourself, take the medical certificate, your ID card and the deceased's ID card
- [ ] An imam present at the death may also declare it
- [ ] At weekends and on holidays, the police issue the paper that allows burial

WHO CAN DECLARE IT

The funeral company, the hospital, the closest relative present at the death or another relative present, a minister of religion such as an imam who was present, or the owners of the home where the person died. Justiça.gov.pt, Declarar um óbito (consultado em 10 de outubro de 2026) ; gov.pt, Declarar um óbito (atualizado em 31 de julho de 2026)

COST

Declaring the death and the certificate are free. Justiça.gov.pt, Declarar um óbito (consultado em 10 de outubro de 2026)

BEFORE BURIAL

No body may be buried until the death has been recorded. Outside registry hours, including weekends and holidays, the police issue a death notice (boletim de óbito) instead. Decreto-Lei n.º 411/98, de 30 de dezembro (regime jurídico da remoção, transporte, inumação, exumação, trasladação e cremação de cadáveres), arts. 6.º, 8.º, 9.º e 11.º; texto consolidado publicado pela Câmara Municipal de São João da Madeira

5

Choose the funeral company and the grave PAPERWORK

Within the first day

The funeral company collects the body, provides the coffin and handles most of the paperwork. Make clear before you agree which services it will provide and what you will pay.

- [ ] Agree the services and the price in advance
- [ ] Ask in advance whether the mosque's team or the family may wash the body at the funeral home
- [ ] Ask the cemetery or the town hall about a Muslim plot and how long the grave lasts

A COFFIN

By road, a body for burial in a grave travels in a wooden coffin. We found no national rule that allows burial in the shroud alone. Ask the cemetery. Decreto-Lei n.º 411/98, de 30 de dezembro (regime jurídico da remoção, transporte, inumação, exumação, trasladação e cremação de cadáveres), arts. 6.º, 8.º, 9.º e 11.º; texto consolidado publicado pela Câmara Municipal de São João da Madeira

MUSLIM PLOTS

The town hall can authorise special burial places reserved for people of a particular nationality or religion. Decreto-Lei n.º 411/98, de 30 de dezembro (regime jurídico da remoção, transporte, inumação, exumação, trasladação e cremação de cadáveres), arts. 6.º, 8.º, 9.º e 11.º; texto consolidado publicado pela Câmara Municipal de São João da Madeira

THE WASHING

We have not confirmed the legal rules on the family or a mosque team washing the body in a funeral home. Ask the funeral company in advance who may do the ghusl there.

QUOTES

Make sure it is clear which services the company will provide and how much you will pay. Justiça.gov.pt, Guia do Espaço Óbito: Primeiros passos (consultado em 10 de outubro de 2026)

and

Wash and shroud the body

Within the first day · at the same time as the step above

Done by trained Muslims of the same sex, or by the spouse. The funeral service usually provides the cloth.

- [ ] Confirm who will wash
- [ ] Confirm the kafan is ready

How the washing and shroud are done ›

SPOUSES

A wife may wash her husband: Ibn al-Mundhir reports consensus. Most scholars allow a husband to wash his wife, and the Prophet ﷺ told ʿĀʾishah that if she died before him he would wash her (Ibn Mājah 1465); the Ḥanafī school does not allow the husband to. Ibn Qudāmah, al-Mughnī (Ḥanbalī, with the other schools), 2:390 ; Ibn ʿĀbidīn, Radd al-Muḥtār (Ḥanafī), 2:198–199

6

The janazah prayer and the burial

As soon as possible

The prayer is often held after one of the daily prayers, and the burial follows straight after.

- [ ] Tell family and community the time of the prayer
- [ ] Confirm the grave in a Muslim cemetery or Muslim plot
- [ ] Plan the burial for at least 24 hours after the death

HASTE

The Prophet ﷺ told us to hurry with the funeral. Ṣaḥīḥ al-Bukhārī 1315

- [ ] Ask the funeral company to confirm the latest time allowed: usually 72 hours, or 48 hours after an autopsy

How to pray the janazah prayer ›

THE LAW

No body may be buried until 24 hours after the death. If the body was handed to the family straight away, it must be buried within 72 hours; after an autopsy, within 48 hours of its end. The health authority can order an earlier burial, in writing, only when there is no forensic autopsy and public health is at risk. Decreto-Lei n.º 411/98, de 30 de dezembro (regime jurídico da remoção, transporte, inumação, exumação, trasladação e cremação de cadáveres), arts. 6.º, 8.º, 9.º e 11.º; texto consolidado publicado pela Câmara Municipal de São João da Madeira

and

If the burial will be abroad PAPERWORK

Before the coffin is closed · at the same time as the step above

Some families bury their dead in another country. Ask the funeral company to handle the paperwork. The estate usually pays, or the family if there is no money in it. Ask the funeral company what it costs and who signs before you agree.

- [ ] Tell the funeral company early that the burial will be abroad
- [ ] Call the consulate of the country early: it sets its own documents and conditions
- [ ] Ask the consulate whether it requires embalming or a sealed zinc coffin
- [ ] Check any repatriation insurance or funeral plan

POLICE PERMIT

The GNR or the PSP issue the mortuary pass (livre-trânsito) needed to take a body to another country under the international agreements. Decreto-Lei n.º 411/98, de 30 de dezembro (regime jurídico da remoção, transporte, inumação, exumação, trasladação e cremação de cadáveres), arts. 6.º, 8.º, 9.º e 11.º; texto consolidado publicado pela Câmara Municipal de São João da Madeira

THE CONSULATE
Each country sets its own requirements. Ask its consulate in Portugal early, before the coffin is closed.

7 Get death certificates PAPERWORK

In the first week

Banks, insurers, the Social Security and the tax office may ask for a death certificate (certidão de óbito). Ask each what proof it needs.

- [ ] Ask the funeral company or any registry office for copies
- [ ] Or ask online on justica.gov.pt

COST
The certificate issued when the death is declared is free. Ask the registry whether further copies cost anything. Justiça.gov.pt, Declarar um óbito (consultado em 10 de outubro de 2026)

8 Pay the funeral costs and list every debt

In the first weeks

The funeral is paid from the estate first, then the debts. Nothing is inherited until both are settled.

- [ ] Pay the funeral costs from the estate
- [ ] List loans, bills and money owed to family
- [ ] Ask a scholar about any unpaid zakat

THE ORDER
Funeral, then debts, then bequests from a third, then the heirs. al-Sirājiyyah (al-Sajāwandī), opening chapter

BANK ACCOUNTS
The banks do not freeze the deceased's accounts. Ask the bank what proof it needs before anyone can use them. Justiça.gov.pt, Guia do Espaço Óbito: Primeiros passos (consultado em 10 de outubro de 2026)

and

Find the will, and claim the death benefits PAPERWORK

In the first weeks · at the same time as the step above

The Espaço Óbito desk deals with the tax office, the heirs and the state benefits in one place. It is worth waiting a week before the first visit, but not more than two months.

- [ ] Check papers at home, email, and with any notary
- [ ] Ask the registry or a notary who must manage the estate until it is divided (cabeça de casal): first in line is the widow or widower, if an heir or entitled to half the couple's property
- [ ] Tell the tax office by the end of the third month after the month of the death
- [ ] Claim the death benefit or the funeral benefit from the Social Security

DEATH BENEFIT

A one-off payment (subsídio por morte) to the family of someone who paid into the Social Security or the civil service pension fund (Caixa Geral de Aposentações). From the Social Security it is three times the social support index (IAS); the IAS is €537.13 in 2026, so the benefit is €1,611.39. Claim within 180 days of the death being registered. Instituto da Segurança Social, Guia Prático – Subsídio por Morte (versão de 2025) ; Instituto da Segurança Social, Guia Prático – Subsídio de Funeral (publicado em 2 de julho de 2026)

FUNERAL COSTS

If the deceased paid into social security, whoever paid for the funeral and is not entitled to the death benefit can claim a refund of funeral costs within 90 days of the death. If the deceased lived in Portugal and never paid into social security, the funeral benefit (subsídio de funeral) is €268.57; claim within 6 months from the first day of the month after the death. Justiça.gov.pt, Guia do Espaço Óbito: Primeira vinda ao Espaço Óbito (consultado em 10 de outubro de 2026) ; Instituto da Segurança Social, Guia Prático – Subsídio de Funeral (publicado em 2 de julho de 2026)

TAX
Close family (a husband or wife, a partner in a de facto union, children, grandchildren and parents) pay no stamp duty on what they inherit. Justiça.gov.pt, Guia do Espaço Óbito: Primeira vinda ao Espaço Óbito (consultado em 10 de outubro de 2026)

9

Settle and divide the estate PAPERWORK

In the months after

Portuguese law reserves two thirds of the estate to the husband or wife and the children together. Ask a notary or the registry early whether and how the estate can be divided by the Islamic shares.

- [ ] Book the declaration of heirs (habilitação de herdeiros) at the Espaço Óbito, a registry or a notary
- [ ] Close accounts and cancel subscriptions
- [ ] Pay any bequest, up to one third, to people who are not heirs
- [ ] Divide the rest by the fixed shares

See how the estate divides ›

ONE THIRD
A bequest is limited to a third, and an heir cannot receive one. Ṣaḥīḥ al-Bukhārī 2742 ; Sunan Abī Dāwūd 2870 (ḥasan ṣaḥīḥ)

DECLARATION OF HEIRS
A document stating who the heirs are. It is needed whenever there is property to inherit, for example to reach the bank accounts. There is no deadline. It costs at least €150. Justiça.gov.pt, Guia do Espaço Óbito: Primeira vinda ao Espaço Óbito (consultado em 10 de outubro de 2026)

THE RESERVED SHARE
A husband or wife and children together share at least two thirds of the estate, whatever the will says. With no spouse, the children share half (one child) or two thirds (two or more). Código Civil, arts. 2139.º e 2156.º a 2159.º (Procuradoria-Geral Distrital de Lisboa, legislação consolidada)

ANOTHER NATIONALITY

If the deceased held another nationality, they could choose in their will the law of that country to govern their estate. Ask a notary what this means for you. Regulation (EU) No 650/2012 (Succession Regulation), arts 20–23, 35, 83 — EUR-Lex, Wayback capture of 5 Mar 2026

10

Look after the family

Four months and ten days

A woman keeps the prescribed mourning (iḥdād: setting aside adornment and perfume) for no more than three days for any death, except for her husband: then four months and ten days, the length of her ʿiddah, or until she gives birth if she is pregnant.

- [ ] Bring food and help with the household
- [ ] Help the widow with errands and appointments
- [ ] Make duʿā for the one who has died

What to say and do when you visit ›

EVIDENCE

A woman who believes in Allah and the Last Day does not mourn beyond three days, except for a husband: four months and ten days. A pregnant widow's term ends with the birth. Ṣaḥīḥ al-Bukhārī 1280 ; Qurʾān, al-Ṭalāq 65:4

FOOD

Prepare food for the family, for what has happened has occupied them. Sunan Abī Dāwūd 3132 (ḥasan, al-Albānī)

ʿIDDAH DATES

Work out when four months and ten days have passed, by the Hijri and the Western calendar. Open ↗

11

Write your own Islamic will

For those left behind

Without a valid will, Portuguese law decides who inherits, not the fixed shares, and the children share equally (with a husband or wife, who receives at least a quarter). An Islamic will in Portugal is an ordinary Portuguese will that directs the estate by the shares, within the part the law leaves free.

- [ ] Make it before a notary (testamento público)
- [ ] Or write and sign it yourself and have a notary approve it (testamento cerrado)
- [ ] Ask the notary how the reserved share affects the Islamic shares
- [ ] If you hold another nationality, ask the notary about choosing that country's law

Work out the Islamic shares to take to a notary ›

VALID WILL

A will is either written by a notary, or written and signed by you and then approved by a notary; a will you write yourself is valid only once a notary approves it. Minors cannot make a will. Código Civil, arts. 2189.º, 2204.º a 2206.º (Procuradoria-Geral Distrital de Lisboa, legislação consolidada)

THE FREE PART

With a husband or wife and children, only one third can be left as you wish. Código Civil, arts. 2139.º e 2156.º a 2159.º (Procuradoria-Geral Distrital de Lisboa, legislação consolidada)

WITHOUT A WILL

A husband or wife and the children share the estate by heads, but the spouse's share cannot be less than a quarter. With no spouse, the children share it equally. Código Civil, arts. 2139.º e 2156.º a 2159.º (Procuradoria-Geral Distrital de Lisboa, legislação consolidada)

General guidance, not a fatwa or legal advice. Portuguese law on declaring a death, burial and estates is national, but each cemetery sets its own rules on plots and graves; your funeral company and a notary can confirm them.

Last reviewed October 2026. Something wrong? Tell us