

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 undertaker 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 South Africa. If something here is wrong or out of date where you live, please tell us at hello@lifeistemporary.com.

WHAT THE LAW SAYS IN SOUTH AFRICA

Notice of death and the burial order

Notice of the death must be given to Home Affairs within 72 hours, by a family member or someone the family appoints by letter, with the doctor's notice of death (DHA-1663). The burial order can be issued by a designated person: a Home Affairs official, a police officer where Home Affairs has no office, or a funeral undertaker recognised by law. No burial may take place without it. The abridged death certificate is free on the same day. Department of Home Affairs, Death Registration; gov.za, Death certificate; Births and Deaths Registration Act 51 of 1992, s. 20

Unnatural deaths and the police

If a death may not be natural, the doctor must not sign the notice of death and must tell the police, who investigate under the Inquests Act. A district surgeon or another doctor examines the body. When it is no longer needed, a burial order can be issued without a cause of death. We found no rule letting a family refuse this on religious grounds, so ask early, in writing, for a quick release. Births and Deaths Registration Act 51 of 1992, ss. 15 to 17; Inquests Act 58 of 1959, s. 3

Release, timing and repatriation

We found no national time limit for burial; the burial order is the legal requirement. To bury abroad, the undertaker or embassy needs an export permit from the National Department of Health, issued within 2 working days when the papers are complete. The body is normally embalmed and sealed in an airtight container in a coffin; if embalming cannot be done for religious reasons, a statement from the relevant authority on the other method of preservation and safe transport must be included at once. National Department of Health, Approved Guidelines on Issuance of Human Remains Permits (2024)

Burial and cemeteries

In Cape Town, the City said in 2021 that Muslim burials at City cemeteries can take place until sunset at no extra charge, because of the duty to bury the same day. It listed Muslim allotments at eleven City cemeteries (Klip Road's was full), and the grave must be paid for before the burial.

	Elsewhere, ask your burial society or the municipality. City of Cape Town media releases, 22 September 2021 and 14 January 2021
The Master and the estate	Report the estate to the Master of the High Court within 14 days of the death, for the area where the person was living 12 months before the death (ask the Master's office to confirm), with a death notice and any original will. A spouse married by Muslim rites counts as a spouse for inheriting without a will; bring proof of the marriage from the Muslim Judicial Council or a similar body. Master of the High Court, Deceased estates; How to report an estate; Intestate succession
Small estates	Under R250,000, the Master may issue letters of authority instead of letters of executorship, with a shorter process. If there is no will and the estate is under R125,000, the magistrate's office service point can deal with it. Master of the High Court, How to report an estate; Administration of Estates Act 66 of 1965, s. 18(3)
UIF and help with costs	If the deceased worked and paid into the Unemployment Insurance Fund, a spouse or life partner can claim the UIF death benefit at a labour centre within 18 months of the death. We found no state funeral grant on official pages. Vuk'uzenzele (government news), UIF death benefits, April 2022

From official sources, checked October 2026. Laws change; your funeral undertaker and an attorney can confirm them.

WHERE YOU ARE

South Africa has one national law for registering a death, unnatural deaths and estates, and this guide describes that national framework. Cemeteries are run by municipalities and by Muslim bodies, so burial times and grave rules differ by city. We have confirmed some City of Cape Town arrangements; elsewhere, ask your burial society or the municipality.

1

Have the death confirmed

In the first hour

For a natural death, a doctor fills in the notice of death (form DHA-1663, also called BI-1663) with the cause of death. You need it to register the death and get the burial order.

- [ ] In a hospital or care home, ask the staff for the notice of death
- [ ] At home, call the family doctor
- [ ] If the death was violent or not natural, call the police on 10111
- [ ] For an ambulance, call 10177
- [ ] Tell the staff early that the family needs a quick burial for religious reasons

WHO SIGNS

The doctor who treated the person, or a doctor who examines the body afterwards, if satisfied the death was natural. If the doctor thinks it was not natural, they must not sign and must tell the police. Births and Deaths Registration Act 51 of 1992, ss. 14 to 17 (Government Gazette 13953, 6 May 1992, on gov.za) ; Department of Home Affairs, Death Registration (read 10 October 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 or the Muslim burial society

In the first few hours

Muslim burial societies and mosques help with the washing, the shroud, the prayer and the burial, and know which undertaker to use.

- [ ] Call the burial society, the mosque 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

CAPE TOWN AFTER HOURS
The Muslim Judicial Council provides area coordinators who can arrange the burial documents after hours, when the City's cemetery offices are closed. City of Cape Town, City increases allotment for Muslim burials (14 January 2021)

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

3 If the death was not natural PAPERWORK

If the death was violent or sudden

If a death may not be natural, such as an accident, a violent death or a suicide, the doctor must not sign the notice of death and must tell the police, who investigate. A district surgeon or another doctor examines the body, and there can be no burial order until the doctor certifies that the body is no longer needed.

- [ ] Ask the police officer for the case number and where the body has been taken
- [ ] Tell them early, in writing, that the family needs a quick burial for religious reasons
- [ ] Ask when the body will be released before fixing the burial time

THE EXAMINATION
The body is examined by a district surgeon or another doctor, who may examine internal organs if needed to find the cause of death. Inquests Act 58 of 1959, s. 3 (as substituted by Act 8 of 1991), text from Acts Online

RELEASE
When the body is no longer needed for the examination, the doctor issues a certificate. The police officer or a Home Affairs official can then issue the burial order, without stating a cause of death. Births and Deaths Registration Act 51 of 1992, ss. 14 to 17 (Government Gazette 13953, 6 May 1992, on gov.za)

OBJECTING

We found no rule that lets a family refuse this examination on religious grounds, and no official page on faster release. Ask early and in writing.

4

Give notice of the death at Home Affairs PAPERWORK

Within 72 hours

The death is reported to a designated person: an official at Home Affairs, a police officer where Home Affairs has no office, or a funeral undertaker recognised by law. They can issue the burial order. No burial may take place without it.

- [ ] A family member, or someone the family appoints by letter, gives the notice
- [ ] Ask your undertaker whether it can register the death and issue the burial order
- [ ] Take the doctor's notice of death (DHA-1663)
- [ ] Collect the burial order and give it to the cemetery
- [ ] Ask for the free abridged death certificate on the same day

THE TIME LIMIT

Notice of the death must be given within 72 hours. Department of Home Affairs, Death Registration (read 10 October 2026)

WHO CAN REGISTER

Home Affairs officials, police officers in areas without a Home Affairs office, and funeral undertakers recognised by law. gov.za, Death certificate (read 10 October 2026)

THE BURIAL ORDER

No burial may take place without a burial order from one of these designated people. It is handed to whoever runs the cemetery. A body may be moved to another magisterial district for burial only with the burial order. gov.za, Death certificate (read 10 October 2026) ; Births and Deaths Registration Act 51 of 1992, s. 20 (Government Gazette 13953, 6 May 1992, on gov.za)

5

Choose the funeral undertaker and the grave PAPERWORK

Within the first day

Most Muslim families use a Muslim burial society or undertaker. Cemeteries are run by the municipality or by Muslim bodies, and each sets its own rules and fees.

- [ ] Ask the burial society or undertaker for the full costs before you agree
- [ ] Ask the cemetery for a grave in a Muslim section, and how to pay for it
- [ ] Ask for no embalming

CAPE TOWN

In 2021 the City listed Muslim allotments at Muizenberg, Dido Valley, Ocean View, Klip Road, Maitland, Atlantis, Delft, Wallacedene, Welmoed, Khayelitsha and Kleinvlei. The Klip Road allotment was full. The grave must be paid for before the burial. City of Cape Town, City increases allotment for Muslim burials (14 January 2021)

ELSEWHERE

We have not confirmed cemetery rules in other cities. Ask your burial society or the municipality.

A COFFIN

We found no official page on burial in the shroud without a coffin. Ask the burial society or the cemetery.

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 section
- [ ] Make sure the burial order is ready before the burial
- [ ] Ask the burial society about the latest time it can bury

How to pray the janazah prayer ›

HASTE

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

SAME DAY IN CAPE TOWN

City cemeteries do not normally bury after working hours, but in 2021 the City said Muslim burials are allowed until sunset at no extra charge, because of the duty to bury the same day. City of Cape Town, City expands Muslim burial section at Maitland Cemetery (22 September 2021)

THE LAW

We found no national minimum or maximum time between death and burial. The burial order is the legal requirement. Births and Deaths Registration Act 51 of 1992, s. 20 (Government Gazette 13953, 6 May 1992, on gov.za)

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. An export permit is needed from the National Department of Health; the application comes with a cover letter from the funeral undertaker or the embassy. 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. Check any insurance too.

- [ ] Tell the undertaker early that the burial will be abroad
- [ ] Call the embassy of the country early: it sets its own documents and conditions
- [ ] If embalming is not to be done for religious reasons, say so at once
- [ ] Check travel insurance and any funeral policy

THE PERMIT

No one may take a body out of South Africa without an export permit. If the papers are complete, it is issued within 2 working days. National Department of Health, Approved Guidelines on Issuance of Human Remains Permits (2024)

DOCUMENTS

A cover letter, the death certificate with the cause of death, an embalming certificate, a letter from the family, a certificate that the body is or is not infectious, the notice of death (BI-1663) and the burial order. National Department of Health, Approved Guidelines on Issuance of Human Remains Permits (2024)

EMBALMING AND THE COFFIN

The body is normally embalmed, sealed in an airtight container and placed in a sturdy coffin. If embalming cannot be done for religious reasons, a statement from the relevant authority must be included straight away, setting out the other method that will keep the body preserved and safe to transport. National Department of Health, Approved Guidelines on Issuance of Human Remains Permits (2024)

7 Get copies of the death certificate PAPERWORK

In the first weeks

The Master of the High Court needs a death certificate to report the estate. Ask each bank and insurer whether it needs one.

- [ ] Collect the abridged certificate when the death is registered
- [ ] Apply at Home Affairs for an unabridged certificate if one is asked for

COST

The abridged certificate is free and issued on the day the death is registered. An unabridged certificate costs R75. Department of Home Affairs, Death Registration (read 10 October 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

THE ORDER

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

- [ ] Claim on any burial society membership or funeral policy
- [ ] List loans, bills and money owed to family
- [ ] Ask a scholar about any unpaid zakat

and

Find the will, and report the estate to the Master PAPERWORK

Within 14 days · at the same time as the step above

Every estate must be reported to the Master of the High Court within 14 days of the death, with a death notice and the original will if there is one.

- [ ] Check papers at home, email, and with any attorney, bank or trust company
- [ ] Report the estate to the Master for the area where the person was living 12 months before the death; ask the Master's office to confirm which office
- [ ] A spouse or life partner of a worker who paid into UIF: claim the death benefit at a labour centre
- [ ] Secure the house and car, and keep the phone line active for sign-in codes

WHO REPORTS

Anyone who holds property of the deceased or their will. A completed death notice and the death certificate are lodged with the Master. Master of the High Court (Department of Justice), Deceased estates (read 10 October 2026) ; Master of the High Court, How to report an estate (read 10 October 2026)

UIF

A spouse or life partner can claim the UIF death benefit within 18 months of the death. Dependent children can claim only if there is no spouse or partner, or if the spouse or partner has not claimed within those 18 months. They must then apply within 14 days and show they depended on the deceased, so check the deadline at the labour centre. Vuk'uzenzele (government news), UIF death benefits (April 2022)

9

Settle and divide the estate PAPERWORK

In the months after

The Master appoints the executor, who settles the estate. Ask an attorney early how to divide it by the Islamic shares.

- [ ] Get letters of executorship, or letters of authority for a small estate
- [ ] 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)

SMALL ESTATES
Under R250,000, the Master may issue letters of authority instead of letters of executorship, with a shorter process. Without a will and under R125,000, the magistrate's office can deal with it. Master of the High Court, How to report an estate (read 10 October 2026)

A MUSLIM MARRIAGE
A husband or wife by Muslim rites counts as a spouse for inheriting without a will. Bring proof of the marriage from the Muslim Judicial Council or a similar body, or from whoever performed it. Master of the High Court, Intestate succession (read 10 October 2026) ; Master of the High Court, How to report an estate (read 10 October 2026)

WITHOUT A WILL
The law, not the fixed shares, decides. A husband or wife receives at least R250,000 or a child's share, whichever is more. Master of the High Court, Intestate succession (read 10 October 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, South African law decides who inherits, not the fixed shares. South African law lets you decide in your will how your estate is divided, so an Islamic will can direct it by the shares.

- [ ] Sign every page and the end, in front of 2 witnesses aged 14 or over
- [ ] The witnesses sign the last page in front of you and each other

VALID WILL

You must be 16 or over. The will can be handwritten, typed or printed. You sign every page and the end in front of two or more competent witnesses, who sign the last page in front of you and each other. Master of the High Court, Wills (read 10 October 2026)

- [ ] A witness, or the person who handwrote the will, or their husband or wife, must not be an heir or the executor
- [ ] Keep the signed original safe: a copy is not a valid will
- [ ] Ask an attorney whether anyone could claim maintenance from the estate

Work out the Islamic shares to take to an attorney ›

YOUR CHOICE

Anyone aged 16 or over is free to make a will deciding how their estate passes. Master of the High Court, Intestate succession (read 10 October 2026)

General guidance, not a fatwa or legal advice. South African law on registering a death, unnatural deaths and estates is national, but cemeteries are run by municipalities and Muslim bodies, so burial times and grave rules differ by city; your funeral undertaker and an attorney can confirm them.

Last reviewed October 2026. Something wrong? Tell us