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Kenya

Estate planning
Estate planning can help to minimise taxes and other expenses associated with transferring assets. You may make a will or alternatively, a living trust can manage assets while you are incapacitated.

Power of attorney (POA) is given by a signor to a signee to manage property for them while alive. General POA gives broad authority to the signee while special POA is limited to specific acts, and irrevocable POA cannot be revoked unless both parties agree. A signor must have capacity.

Medical power of attorney applies when a donor appoints a donee to act on their behalf when incapacitated. Donees may address medical matters.

A **living will** or **advance directive** may specify medical treatment preferences. There is no law in Kenya covering advance directives. They are only practised where institutions have end of life policies in place. A Do Not Resuscitate (DNR) order instructs the physician to cease cardiopulmonary resuscitation. Practitioner preference, relatives' wishes and availability of resources affect outcomes. Physicians may hesitate to follow written instructions because they are unsure of the legal situation.

Useful websites
Ampath looks at the introduction of palliative care programmes to Kenya

CM Property Digest examines estate planning

The Conversation explores the taboo of talking about end of life care

Izna explains how to get a financial plan for funeral costs

Kenya High Commission sets out the requirements for the repatriation of a deceased Kenyan

Kenya Matters deals with the repatriation of deceased Kenyan nationals from abroad

KIOI has information on estate planning by using a will

Kraido Advocates supplies a guide to writing a will in Kenya

Lawyer Wangu examines how to create a medical power of attorney

A Linked In article looks at power of attorney

Ministry of Health government site sets out Kenya's palliative care policy 2021-2030

MNM has information on wills and gifts

Oraro and Company Advocates look at setting up a trust as an alternative to a will

This 2020 academic paper is about advance care planning in Kenyan patients on hemodialysis

This 2020 paper looks at factors influencing decision making around do not resuscitate orders in Kenya

This 2021 study examines end of life planning in Nairobi

This 2017 study focuses on factors that influence advance directives in Kenya

This 2024 study explores religious, cultural and sex influences on advance directives of Kenyan patients

This 2014 study looks at preferences and priorities for end of life care in Kenya

UBWA lists 18 things you need to know about power of attorney, has information on giving gifts in wills and explores estate planning

This UK government site explains what to do if a UK national dies in Kenya

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Translation disclaimer: Content originally written in English.