ثانيًا: الهبة

Gift

or

Donation; favor; charity; grant

الهبة تمليك بلا عوض للماضية تمليك بلا عوض الهبة تمليك الماضين الماضين

Or:

Assigning the ownership of something to someone for no return during one's life.

يشترط في الواهب أن يكون سليم العقل، بالغًا من العمر تسع عشرة (19) سنة، وغير محجور عليه. It is a requirement for the donor to be of sound mind, of the age of nineteen (19) years, and not subject to interdiction.

A gift in sickness of death and fearful situations is a testament.

تنعقد الهبة بالإيجاب والقبول، وتتمّ الحيازة ومراعاة أحكام التوثيق في العقارات والإجراءات الخاصّة في المنقولات.

The donation takes place with the offer and acceptance, the possession takes place and the provisions for notarisation in real estate and the special procedures for movable property are taken into account.

If any of the previous restrictions are broken, the donation is void.

If the donor is the guardian of the gifted person, or his spouse, or the gifted is common, notarisation and administrative procedures substitute for possession.

The gift is valid for pregnancy provided that it is born alive.