

# ISLAMIC WILL

**DETAILS:** Name: \_\_\_\_\_

Address: \_\_\_\_\_ Passport No.: \_\_\_\_\_

I, with the details above, hereby declare that this is my Last Will and Testament, dated: \_\_\_\_\_

**REVOCATION:** I hereby revoke all my previous wills, codicils and other testamentary dispositions.

**APPOINTMENT OF EXECUTORS:** I hereby appoint the following individual[s] to execute my Will and administer my Estate:

DETAILS OF 1<sup>ST</sup> EXECUTOR: Name: \_\_\_\_\_ Passport No.: \_\_\_\_\_

Address: \_\_\_\_\_

DETAILS OF 2<sup>ND</sup> EXECUTOR: Name: \_\_\_\_\_ Passport No.: \_\_\_\_\_

Address: \_\_\_\_\_

If any of the abovementioned Executors predecease me or die during the implementation of the Will or refuse to act, then the other Executors are authorised to act alone. However, in the event of all dying or refusing to act, the authority to appoint another Executor[s] should be conferred to a reputable Dar I-'Ulum or Islamic scholar.

**FUNERAL WISHES:** I am a Muslim, and thus, my funeral (i.e., the bathing, shrouding and burying) and the allocation of my estate should be executed in accordance to the Sharia. I do not consent to the performance of an autopsy on my body. If legally required, then it should be done through an MRI scan. I wish for my cadaver to be buried ASAP and in the closest Muslim Cemetery. In the event of any dispute or difference in opinion, I advise you to refer the dispute to a reputable Dar 'I-Ulum or an Islamic scholar.

**GUARDIANSHIP:** The shares and assets of inheritance accruing under this Will and Testament to a minor child will be held by the Executor in Trust (and, perhaps invested, if seen appropriate, but only in Sharia compliant investments) and conferred to the child upon reaching the age of maturity as ascertained by Sharia. I appoint my Executors of Trustees of any such Trust. The Executors may in their discretion use the income in accordance to Sharia for maintaining, educating and for the general welfare of the beneficiary of the Trust.

I assign person to be the Guardian of my children who at my demise are under the age of eighteen.

DETAILS OF 1<sup>ST</sup> GUARDIAN: Name: \_\_\_\_\_

Address: \_\_\_\_\_

However, if the assigned Guardian is reluctant or unable to act for any reason then I assign the following to be the guardian.

DETAILS OF 2<sup>ND</sup> GUARDIAN: Name: \_\_\_\_\_

Address: \_\_\_\_\_

**RESIDUARY ESTATE:** I hereby will have rendered all the residue of my estate and property to my Executors on trust. I instruct the Executors of my Estate to apply the assets in my Estate, after having liquidate all assets unless agreed otherwise by heirs, in the following order as in terms of Sharia: (1) payment of funeral expenses; (2) fulfilment of all debts; (3) payment in accomplishment of any bequest; (4) allocation of the residue of my Estate to my inheritors as required by Sharia.

Today, dated \_\_\_\_\_, I am liable to compensate for the unfulfilled obligations. If I am unable to compensate fully during my lifetime, I hereby leave a will that compensation could be paid out of my legacy.

**A BEQUEST TO CHARITY:** I instruct the Executors of my Will to determine the amount due by me in fulfilling my religious liabilities or obligations pronounced below:

**RELIGIOUS OBLIGATION/ LIABILITY/ DONATION:** total amount of unobserved *salah/namaz*: \_\_\_\_\_); (total amount of unpaid *zakah* or unpaid *wajib sadaqah*: \_\_\_\_\_); (total number of unkept fasts: \_\_\_\_\_); (if outstanding Hajj: \_\_\_\_\_); (if any *kaffarah* - for breaking oaths - unfulfilled: \_\_\_\_\_); (total amount of undischarged *qurbani*: \_\_\_\_\_); (total amount of *haram* income (Inc. interest money) to return to the owner or donate to charity: (amount: \_\_\_\_\_, charity/ owner name: \_\_\_\_\_); (any voluntary donations to any charitable organisations or causes desired: (amount : \_\_\_\_\_, name of charity: \_\_\_\_\_)).

I entrust the executor of my will to pay *fidyah* out of my estate for every outstanding *salah*. A total *fidyah* of 6 prayers (*inc. witr*) should be paid for each day where no *salah* was observed. The individual rate and total amount of *kaffarah* and *fidyah* for the outstanding *salah* or fast will be verified by a Dar 'l-Ulum/ Islamic scholar at that time of my death.

Consequently, my Executors shall pay such amounts to the organisations and person who they in their absolute discretion determine as entitled to the money according to Sharia. The total amount payable in such liability, donation, *fidyah*, *zakah*, penalty or bequests should not, nevertheless, be more than one third of the net value of the complete Estate

after the payment of funeral expenses and debts, unless to which all the heirs express their explicit consent.

**DISPUTE:** If my bequest or any other wish contained within this Will contradicts the Islamic law, or if there is any disagreement in regard to the Will, including the interpretation, administration or distribution of it; then I confer the power of amending the bequest and of resolving the issue in accordance to Islamic law to any competent Dar 'l-Ulum or an Islamic scholar whose decision will be conclusive and binding.

**DETAILS OF DAR 'L-ULUM/ DAR 'L-IFTA OR ISLAMIC SCHOLAR:** Name: \_\_\_\_\_  
Address: \_\_\_\_\_

**TRUSTS/ DEBT:** DETAILS OF MONEY OWED TO: Name: \_\_\_\_\_

Address: \_\_\_\_\_

Amount: \_\_\_\_\_ Evidence: \_\_\_\_\_

DETAILS OF MONEY I AM OWED: Name: \_\_\_\_\_

Address: \_\_\_\_\_

Amount: \_\_\_\_\_ Evidence: \_\_\_\_\_

**TOTAL RECORD OF ASSETS OWNED** (including properties, jewellery, money, investments):

\_\_\_\_\_  
\_\_\_\_\_

**ADDITIONAL INFORMATION:**

\_\_\_\_\_  
\_\_\_\_\_

**STANDARD PROVISION:** Neither Section 33 Wills Act 1837 nor Section 11 and 22 Trusts of Land and Appointment of Trustees Act 1996 shall apply to this Will. Moreover, the Executors of the Will must follow the Islamic principles in executing my estate.

**ACKNOWLEDGEMENT:** I, named: \_\_\_\_\_, hereby declare this to be my Last Will and Testament in the presence of the witnesses. I hereunder, dated: \_\_\_\_\_, sign: \_\_\_\_\_.

We confirm that this Last Will is signed by us and signed by the person mentioned above in our presence.

DETAILS OF 1<sup>ST</sup> WITNESS: Sign: \_\_\_\_\_ Name: \_\_\_\_\_  
Address: \_\_\_\_\_ Occupation: \_\_\_\_\_

DETAILS OF 2<sup>ND</sup> WITNESS: Sign: \_\_\_\_\_ Name: \_\_\_\_\_

Address: \_\_\_\_\_ Occupation: \_\_\_\_\_

DATE (last reviewed): \_\_\_\_\_

Note that this is simply a template; you may add to it as deemed appropriate. Furthermore, we advise you to seek consultation and guidance when completing this will from an Islamic scholar and any other relevant professional bodies, such as a solicitor, accountant etc.