|  |  |
| --- | --- |
|  | **TESTATOR** |
| Name |  |
| Birth Date |  |
| City of Residence |  |
| Address |  |
| Country |  |



**Imran Shaikh Will & Testament**

**Signatures**

**Testator**: I, ***Imran Shaikh***, being of sound mind and memory, do hereby revoke all of my former wills and amendments, and declare this my last Will and Testament ***on Twenty Fourth of April Two Thousand and Twenty-Two (24/04/2022)*** In witness whereof, I have hereunto set my hand this day, in the presence of the witnesses Thereinafter named in ***Article 5*,** who attest the same at my request.

|  |  |
| --- | --- |
| **Day I Month I Year** | **Testator’s Signature** |

**Spouse**: I, **(Spouse Name)** Realising that some localities adopt the Community Property Rule, whereat one-half of the residual state is considered property of the surviving spouse, I hereby decline such an allocation, declare my full consent to my spouse's last will and testament, and resign my right to challenge it.

|  |  |
| --- | --- |
| **Spouse's Name** | **Spouse's Signature** |

**ARTICLE 1 – Estate**

## **1.1: MY ASSETS AND LIABILITIES**

1. If I own or am owed amounts and items, debts, trusts, businesses, properties, bank accounts, cash, etc. These will be listed out in the **Appendix A-F**
2. If I owe amounts and items, debts, trusts, etc. — These will be listed out in the **appendix A-F**

## **1.2: SETTLEMENT OF DEBTS AND EXPENSES**

1. I direct that all trust properties in my possession be returned to their rightful owners. I further direct that my Executor first applies the assets of my estate to the payment of all my legal debts, including such expenses incurred by my last illness and burial, as well as the expenses of the administration of my estate. I direct said Executor to pay any outstanding obligations that are binding on me before Alläh, including unpaid zakäh **(*My Zakah is paid yearly 09 shawwal*)** (obligatory Islamic charity), vows, kaffärät (expiating Islamic obligations), and unperformed Hajj (pilgrimage to Makkah).
2. I direct that all inheritance, estate and succession taxes (including interest and penalties thereon), payable by reason of my death, shall be paid out of, and be charged generally against, the principal of my residuary estate without reimbursement from any person; except that this provision shall not be construed as a waiver of any right which my Executor has, by law or otherwise, to claim reimbursement for any such taxes which become payable on account of property, if any, over which I have a power of Appointment.

**1.3: DISTRIBUTION OF THE ESTATE (WEALTH)**

1. After the **cost of burial have been paid from my estate, Debts settled (See appendix A)**, **(My Zakat is due on 09 Shawwal, I always pay it on the 09 Shawwal)**. So if I was to die close to this time, please pay my Zakat before any of my estate is distributed to my heirs.
2. I direct and bequeath **1/3 of my estate should be given in charity to a charity called “Global Helping Hands” preferably to a project such as Water Well, & the remaining** **2/3 my estate** after the execution of any debts, funeral costs, as well as any portion of my estate disclaimed or refused by any of the legatees named or referred to in this Will and Testament, only to my Muslim eligible heirs whose relationship to me, whether ascending or descending, has occurred, at each and every stage, through blood relationship or lawful marriage. **The distribution of my estate shall be made strictly in accordance with the Islämic Law of inheritance according to Fiqh opinion of the majority of the scholars (*Shafi Madhab*). If there is any money that remains after the heirs have taken the inheritance then please give this in charity to a charity called Global Helping Hands, preferably to a Project such as Water Well etc..**
3. The following organisation can help with calculating the Inheritance for the heirs: [www.faranitaylor.com](https://eur01.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.faranitaylor.com%2F&data=04%7C01%7Czchowdhry%40faranitaylor.com%7C9d0a5b316d754be741f708d9bfca51ec%7C6e73109356aa456395f3c51895079c2f%7C0%7C0%7C637751697941707335%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000&sdata=Zj6FRGYE%2BFAX53ApLtmDqMRARkIstSggES1LChS2wyI%3D&reserved=0)  but, feel free to find another one if required/cheaper.
4. I direct that no part of my residuary estate shall be inherited by a non-Muslim relative, except if specified.
5. Should I die as a result of murder, I direct that the adjudged murderer, principal or accessory in the murder, shall be disqualified from receiving any part or share of my estate.
6. I direct that no part of my estate shall be given to relatives whose relationship to me, whether ascending or descending, has only occurred through non-Islamic marriage, illicit contact, or adoption, except: (a) legatees or (b) individuals who are related to me through their biological mother. I further direct that a relationship based on a well-established Islamic marriage shall be accepted — whether or not the marriage had been confirmed with the legal authorities.
7. I direct that any fetus, conceived before my death, whose relationship to me qualifies it to be a legal heir according to Islam, shall be considered an heir, provided that it is born alive, and within a reasonable term after my death. In such a case, the distribution of my residuary estate after the execution of debts, funeral costs shall be delayed until after the birth of the fetus. If some of the other heirs are in urgent financial need, a disbursement may be extended to them not to exceed their' minimum possible share after taking the fetus's share into consideration.

# **1.4: SEPARABILITY**

I direct and ordain that if any part of this last Will and Testament is determined invalid by a court of competent jurisdiction, the other parts shall remain valid and enforceable.

**ARTICLE 2 - WILL EXECUTOR**

I hereby nominate and appoint one of the following, taken in this sequence, as dictated by their availability and willingness, to be the sole Executor of this Will and Testament.

|  |  |  |  |
| --- | --- | --- | --- |
|  | First Choice | Second Choice | Third Choice |
| Name |  |  |  |
| Address |  |  |  |
| Tel |  |  |  |
| Email |  |  |  |

1. I give my Executor, herein named, power to settle any claim for or against my estate, and power to sell any property, real, personal or mixed, in which I have an interest.
2. I direct that no bond or surety for any bond be required for my Executor in the performance of his/her duties.
3. It is my will that no other action shall be had in the court in the administration of my estate than to prove and record this will, and to return an inventory and appraisement of my estate and list of claims.

**ARTICLE 3 - Guardian**

# 

I hereby nominate and appoint one of the following, taken in the same sequence as dictated by their availability and willingness, and so long as said person remains an upright and practicing Muslim of sound mind and judgement, to be the guardian of the persons and estates of such of my children as shall be minors at and after my death, during their minority:

|  |  |  |  |
| --- | --- | --- | --- |
|  | First Choice | Second Choice | Third Choice |
| Name |  |  |  |
| Address |  |  |  |
| Tel. |  |  |  |
| Email |  |  |  |

**ARTICLE 4 - FUNERAL AND BURIAL PROCEDURES**

I hereby nominate and appoint one of the following, in this sequence, as dictated by their availability and willingness, to execute all foregoing and necessary provisions for my proper Islämic funeral and burial. ***I advise the person who is the most knowledgeable with these procedures at the time to take lead, even if they’re not named below. As long as they will follow the procedures in accordance with the Qur’an & Sunnah and Ijma of the scholars and not tied down to a particular scholar/Madhab***. Please see **Appendix G** for further details of relevance on my request and guidelines on procedures.

**FUNERAL ADMNISTRATOR Choice & Details**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | First Choice | Second Choice | Third Choice | |
| Name |  |  | |  |
| Address |  |  | |  |
| Tel. |  |  | |  |
| Email |  |  | |  |

In the event of legal difficulties in administrating my funeral, I direct my Administrator to seek counsel from learned Muslim men or reputable Islamic organisations

# **CONCLUSION**

This is my will, which I have laid out. I ask Alläh to guide me and all the Muslims an grant us righteousness, a good end, and death upon the testimony of Islam.

*« Whoever changes the bequest after hearing it, the sin will be upon those who make the change. Truly, Alläh is Hearing and Knowing. » [Qur’an, Al-Baqarah 2:1811]*

**ARTICLE 5 – Witnesses Testimony**

**Witnesses**. We hereby certify that the above instrument was, on the date thereof, signed, published, and declared by the Testator, as his last Will and Testament, in our presence, who at his request and in his presence, and in the presence of each other, have hereunto subscribed our names as witnesses thereto, believing said Testator at the time of so signing to be of sound mind and memory. Each of the witnesses declared in the presence and hearing of the Testator that the forgoing instrument was executed and acknowledged by the Testator as the Testator's Will in their presence and that they, in the Testator's presence, hearing, and sight, and at the Testator's request, and in the presence of each other, did subscribe their names to the instrument as attesting witnesses on the date of the instrument, and that to the best of their knowledge, the Testator was eighteen years of age or older, of sound mind, under no constraint or undue influence, and the witnesses were above eighteen years of age and competent to be witnesses. ***This document is made in three copies, all the same and all original. One copy is with me stored in a black folder on my bookshelf at my home address, one is deposited with the Executor (Spouse), and one with my family at their home address (32, Casino Avenue, SE24 9PH)***

|  |  |
| --- | --- |
| **Witness's Information**  **Name:**  **Date Signed:**  **Contact Number:**  **Address:** | **Signature** |
| **Witness's Information**  **Name:**  **Date Signed:**  **Contact Number:**  **Address:** | **Signature** |
| **Witness's Information**  **Name:**  **Date Signed:**  **Contact Number:**  **Address:** | **Signature** |

## ***Appendix A - DEBTS & LIABILITIES OWED BY ME***

In the following table, I include the debts and liabilities that I owe to various individuals and institutions.

|  |  |  |  |
| --- | --- | --- | --- |
| Date | Creditor | Amount | Notes & Signature |
|  |  |  |  |
|  |  |  |  |

## ***Appendix B - Monthly Direct Debits to be cancelled/Transferred***

In the following table, I include any monthly/annual bills that I pay to give you guidance on what should be cancelled/transferred over to avoid charges for not in use services.

***Last updated: 15/04/2022***

|  |  |  |
| --- | --- | --- |
| Item & Description | Location / details | Approx.  Value |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |

## ***Appendix C - Account Details***

In the following table, I include details to access some accounts, noting down what needs to be done with the account

|  |  |  |
| --- | --- | --- |
| Application | Details | Action |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |

## ***Appendix D DEBTS OWED TO ME***

In the following table, I include the debts that are owed to me by various individuals and institutions.

|  |  |  |  |
| --- | --- | --- | --- |
| Date | Debtor | Amount | Notes & Signature |
|  |  |  |  |

## ***Appendix E - ASSETS THAT I OWN***

In the following table, I include items, trusts, businesses, properties, etc., that I own or are owed to me.

|  |  |  |
| --- | --- | --- |
| Item & Description | Location | Approx.  Value |
|  |  |  |

## ***Appendix F - LIABILITIES & TRUSTS THAT I OWE TO OTHERS***

In the following table, I include items, trusts, businesses, properties, bank accounts, etc., that I owe or hold for others.

|  |  |  |
| --- | --- | --- |
| Item & Description | Location | Approx.  Value |
|  |  |  |

## ***Appendix G – Religious Steps to take after my death***

**1.1: THE SHAHADAH — TESTIMONY OF FAITH**



(I testify that there is no true deity except Alläh, and that Muhammad O) is Alläh's messenger)

I bear witness that Alläh is the Creator of the Heavens and Earth, and the God of Ädam, Nüh (Noah), Ibrähim, Müsä (Moses), and 'isä (Jesus). I bear witness that Alläh's promises are true and we will certainly meet with Him, Paradise is true, the Day of Judgement is coming without any doubt, and Alläh (exalted be He) will surely resurrect those in the graves.

**1.2: COUNSEL TO MY BELOVED ONES**

The following is my counsel to my beloved spouse, relatives, friends, Muslim brothers and sisters, and all those who survive me:

1. Strive to be true Muslims. Worship our Creator as He alone is to be worshipped. Direct your absolute fear, hope, love, and submission to Him alone. I exhort you with what Ibrähim and Ya'qüb exhorted their children: *«O my children, Alläh has chosen for you this true religion, so do not die except in the faith of Isläm.» [Qur’an, Al-Baqarah 2:132]*
2. Revere Alläh and be conscious of Him. Be prepared for departure from this life. Take provision of good deeds. Keep the company of the scholars and righteous Muslims. Let your appearance and behaviour reflect Islam in the best way. Strive to spread and establish the religion of Islam
3. Obey Alläh and His Messenger (peace be upon him). Hold fast to the Messenger's Sunnah (teachings), and the guidance of the Salaf (righteous early Muslims). I exhort you with the Messenger Muhammad's (صَلَّىٰ ٱللَّٰهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ) last exhortation to his followers: *«Maintain the prayer, maintain the prayer» [Hadith, Abu Dawud, Ahmad]* So, maintain the prayers at their prescribed times
4. Always supplicate for me and ask Alläh to forgive me and have mercy on me
5. Avoid all acts of disobedience. Beware of innovations or altering any of the teachings of Islam. I disown before Alläh any act of disobedience or innovation that anyone might commit after me. *«Every innovation is going astray, and every going astray will be in the Fire» [Hadith, Muslim (867) and an-Nasaa’i (1578)]*
6. Seek knowledge, read and listen to the scholars/students of the sunnah
7. Please read the following books, so you aware of the correct procedures for the Funeral and it will also help you understand the reasons with evidence why I have written certain details in this will.
   1. Funeral Rites in Islam (Dr Abu Ameenah Bilal Philips)
   2. The Funeral Rites - Shaykh Al-albani

**1.3: WHAT TO DO WHEN DEATH COMES**

1. When death approaches me, have Muslims of knowledge and piety attend me, and let them remind me of maintaining good thoughts about my Lord, hoping for His mercy and forgiveness, and constantly uttering the Shahädah.
2. Remove from my presence anything that dispels the angels of mercy, such as pictures or statues of humans and animals, dogs, bells, improperly attired women, music, smoking, etc.
3. Note down any social media accounts you may want shutting down.
4. If there is a TV in the house/flat that I have purchased, then please use this TV for halal purposes only to avoid it being against me as a punishment. (i.e only watch Documentaries/Islamic videos/or video games with no Music) Account details can be found in the appendix or alternatively through my phone (Pattern lock below to unlock phone).

Shape, circle

Description automatically generated with medium confidence

1. After my soul departs, I ordain the following to my family or those who are present:
   1. Close my eyes.
   2. Make good supplications for me (without raising their voice), invoking mercy and forgiveness for me.
   3. Take measures to quickly prepare me for the burial.
   4. Avoid announcing my death on loud speakers or in newspapers.
   5. Stop prompting me to say the Shahädah after my soul had departed from my body. Hasten to pay off my debts.
2. No person dies before his appointed time. So, I ordain to my family the following:
   1. Do not preoccupy yourselves with my death, but instead make the proper preparations for your own.
   2. Maintain patience, self-composure, and submission to Alläh's decree.
   3. Do not raise your voice, wail, strike your cheeks, or call out with the calls of ignorance that reflect dissatisfaction with Alläh's decree.
   4. Women may not mourn over me for more than three days, except for a widow who is allowed to mourn over her husband for four months and ten days — until her 'iddah is completed.

**1.4: THE FUNERAL**

1. I ordain that all of my funeral and burial procedures be performed by Muslims in full compliance with the Islamic religion and the Sunnah of the Messenger (صَلَّىٰ ٱللَّٰهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ). Absolutely no non-Islamic religious services or observances may be conducted upon my death, or on my body.

In particular;

* 1. Autopsy or embalmment may not be performed on my body — unless required by law. My burial may not be delayed for reasons Islamically unjustifiable, such as awaiting a specific day, or the arrival of a particular person.
  2. My body should be washed three or five times (or more if needed) with soap and water, adding camphor or perfume on the last time.
  3. My body should be wrapped with three plain white perfumed sheets of cloth that are free of ornaments and other articles.
  4. I should be buried where I die; my body may not be transported over any unreasonable distance except as needed to reach the nearest Muslim cemetery.
  5. My funeral procession should be expedited.
  6. Women and incense burners may not accompany my funeral procession.
  7. During my funeral, voices may not be raised with reciting Qu’ram, uttering the Shahädah, or any supplications. Silence should be maintained, and those present should contemplate over the event and supplicate for me in their hearts.
  8. The funeral prayer upon me should be conducted outside the graveyard, and not among the graves.
  9. The largest possible number of Muslims should be invited to pray upon me, they should be arranged in a minimum of three rows, and they should be instructed to supplicate for me sincerely and extensively.

**1.5: BUMAL AND THE GRAVE**

I ordain that:

1. My grave should be dug in accordance with the specifications of the Sunnah.
2. If possible, my grave shall be made as lahd
3. My body should be buried without a casket or any other encasement that separates the wrapped body from the surrounding soil. In the event that the local laws require casket encasement, I ordain that such encasement be of the simplest, and least expensive type.
4. My body should be laid the right side, with the face to the Qiblah, and my back supported with bricks or soil.
5. The men who lay down my body should say: Bismillähr, wacalä millati Rasülilläh (with Alläh's name, and upon the religion of Alläh's Messenger (صَلَّىٰ ٱللَّٰهُ عَلَيْهِ وَآلِهِ وَسَلَّم).
6. No pillow may be placed under my head, no perfumes or decorations may be sprinkled in my grave, and no worldly possession may be buried with me.
7. Each one attending my burial should pour three handfuls of dust into the head end of my grave.
8. After finishing my burial, the Muslims should be urged to stay for about 10 minutes around my grave, supplicating for me quietly, and asking Alläh to grant me mercy, forgiveness, and firmness of words when questioned by the angels in the grave.

I ordain that:

* 1. No structure may be built over my grave.
  2. The soil over my grave should be raised no more than a hand span.
  3. No fence may be built around my grave.
  4. No writing, or symbols may be placed on my grave, except for a simple rock or inscription of my name to mark it so that other family members may later be buried in it.

**1.6: VIOLATIONS OF ISLAM**

I ordain that innovations, violations of Islam, and practices of the non-Muslims, should all be prevented at my funeral. In particular:

1. No one may wear black as a sign of mourning.
2. No pictures, decorations, flowers, wreaths, flags, or symbols may be included at any stage of my burial, nor be placed at the site of my grave.
3. Recitation of Qur’an (even Surah Al-Fatihah or Yasin) may not be done over my body during the funeral procedures as this is not proven from the Sunnah. Nor should any days be specified to recite Surah Yasin or circles of Dhikr after. Please refer to the book *“Qur’aan Khawaanee”* for further explanation. The Prophet (صَلَّىٰ ٱللَّٰهُ عَلَيْهِ وَآلِهِ وَسَلَّم) said: *«When a person dies, all his deeds come to an end except three: sadaqah jaariyah (ongoing charity, e.g. a waqf or endowment), beneficial knowledge (which he has left behind), or a righteous child who will pray for him» [al-Tirmidhi, no 1376]*

**1.7: CONDOLENCES**

I ordain that: The people should be instructed to express their condolences in proper Islamic terms and manner.

1. My family may not prepare food for the people who visit to comfort them, nor are they to hire or appoint men to recite Qur’an for the occasion.
2. Gatherings may not be arranged for the specific purpose of receiving condolences, especially those made on Fridays, on the third day, after one week, forty days, annually, etc. *« Jareer ibn ‘Abdullah said: We used to regard gathering with the family of the deceased and making food after the burial as coming under the same heading as wailing (which is forbidden) ». Narrated by Ahmad, 6866; and Ibn Maajah, 1612. (See IslamQA.info - Ruling on people gathering to receive condolences)*

I disown before Alläh, the Most High, every action or saying that conflicts with the Sunnah of the noble Messenger (صَلَّىٰ ٱللَّٰهُ عَلَيْهِ وَآلِهِ وَسَلَّم)

Finally, I ask all my relatives, friends and all others, whether they choose to believe as I believed or not, to honour my right to these beliefs. I ask them to honour this document, and not to obstruct it or change it in any way. Rather, let them see that I am buried as I have indicated above, and let my estate be divided as I indicate below.