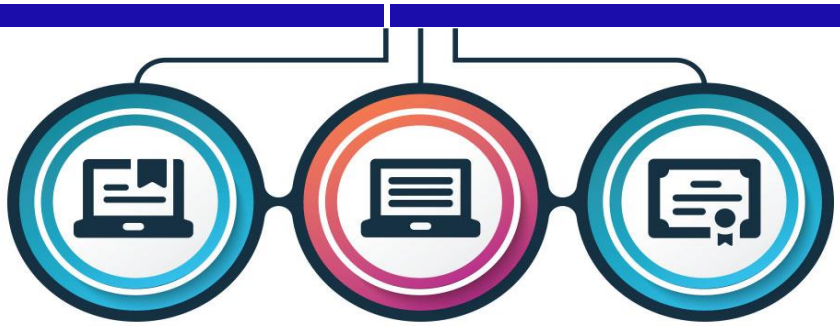
JAMIA MOSQUE SURREY

Islamic Will



NAME: _____

I.D. No.: | | | | | | | | | | | | | | |

All praises are due to Allah in whom we believe and from whom we ask forgiveness and help. We seek refuge in Allah from our evil doings and our bad deeds. Whoever Allah guides, no one can lead astray; and whoever Allah leaves astray, no one can guide.

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I, _____ the undersigned

of _____ hereby declare that this is my Last Will and Testament.

1. I revoke, cancel, and annul all previous Wills, Codicils and other testamentary writings or statements made or executed by me at any time before.
2. I hereby nominate, constitute, and appoint as the Executors of this My Will and Administrators of my Estate, the Following persons:

   I. _____

   II. _____

   III. _____

   In the event of any one or more of my said Executors or Administrators predeceasing me or dying during his term of Office or declining to act, then the remaining or surviving Executors shall be authorised to act alone. Furthermore, in the event of all such Executors or Administrators predeceasing me or dying during his term of office or declining to act, then I declare that anyone of the judicial bodies mentioned in Clause 9 shall be authorised to appoint one or more Executors or Administrators.
3. I hereby grant to the Executors of my Estate all such powers as allowed by Law, especially the power of assumption.
4. I hereby direct that it shall not be necessary for my said Executors and Administrators, or any one of them in the event of the predecease of the others, to lodge security with the Master of the Supreme Court for the due performance of their duties.
5. I hereby direct that the Executors and Administrators of my Estate proceed with the distribution of my Estate in the following order of priority as commanded by Islamic Law of Succession:

   I. Payment of my funeral expenses.

   II. Payment of all my debts.

   III. Payment of the Wasiyyah (Islamic Bequest), which is set out in Clause 6 and 7.

   IV. Distribution of the residue of my Estate to my Islamic heirs in accordance with the Islamic Law of Succession.
6. My said Executors and Administrators shall endeavour to ascertain what amount, if any, is due by me in respect of my religious liabilities and obligations in accordance with the tenets of the Islamic faith until the date of my death; and for the guidance of my Executors and Administrators I hereby declare that at present my liabilities in this respect are as follows:

A. Unpaid Zakaat:	R _____	E. Unfulfilled Kaffarah:	R _____
B. Unfulfilled Fasts:	R _____	F. Undischarged Vows:	R _____
C. Unfulfilled Fardh Haj:	R _____	G. Undischarged Qurbaani:	R _____
D. Unperformed Salaat:	R _____	H. _____	

   and accordingly, I hereby direct and make Wasiyyah (Islamic Bequest) that such amounts shall be paid to such persons or institutions as my Executors and Administrators in their absolute discretion, shall determine to be entitled thereto according to the laws of Islam. The total amount payable under this clause shall not, however, exceed thirty-three and one third per cent of the net value of my estate after the payment of all debts contracted by me during my lifetime, including funeral expenses.

AS WITNESSES:

1. _____

2. _____

_____

TESTATOR / TESTATRIX

7. In the event of any balance remaining out of the thirty-three and one third per cent of the net value of my Estate as mentioned in Clause 6 hereof, then I hereby make Wasiyyah according to the laws of Islam and give and bequeath as free and absolute legacies, to the following charitable institutions or persons (who are non-heirs) out of such balance, the amount as are set opposite their respective names, as follows: -

_____

_____

8. I direct that in the event of any Wasiyyah (Islamic Bequest) referred to in clause 7 above exceeding one-third of my estate, after payments of debts, then such Wasiyyah (Islamic Bequest) shall abate proportionately.

9. I hereby direct that a Certificate issued by the Redhill Islamic Centre Trust (RIC) or any Muslim Judicial Body or expert designated by it, shall be binding and conclusive as to the aforesaid Islamic Law and the distribution of my Estate.

10. I direct that any share under this my Will hereto devolving upon a male/female to be paid to and become his/her sole, absolute and exclusive property, and be excluded from the community of property and any accrual system that may now or hereafter exist between him/her and any spouse he/she has married or may marry and shall be free from the jus mariti and right of administration ordinarily to him/her accruing whether by virtue of the law of community of property, accrual or otherwise. The receipt alone of any male/female inheritor in my Estate, without the assistance of his/her spouse, shall be a good and sufficient discharge to my Executor and/or Administrators, therefore.

11. I hereby direct that any inheritance accruing to a minor child in terms hereof shall not be paid into the Guardians Fund but shall be held in Trust by my said Administrators until the said minor attains the age of majority in which event my said Administrators shall pay over to the said minor his/her share of inheritance. My said Administrators shall be empowered to invest assets held in Trust in such investments that are in accordance with Islamic Law. My Administrators are authorized in their discretion to apply the income and in case of need a portion of the Capital of the Trust assets for the maintenance, education, and general welfare of the beneficiary of the Trust provided that any such application of income is in accordance with the Islamic Law.

12. I direct that my Estate shall be wound up as expeditiously as possible until the final approval of the liquidation and distribution account.

13. In the event of there being any dispute relating to the interpretation of this Will, or the Administration, Liquidation or distribution of my Estate or any other matter connected therewith or arising there from the matter shall be referred to the Arbitration Board of the Redhill Islamic Centre Trust (RIC) whose decision shall be final and conclusive.

THUS DONE EXECUTED AT _____ DATE _____...

MONTH _____ YEAR _____ CORRESPONDING WITH THE ISLAMIC DATE

_____ 14____ IN THE PRESENCE OF THE SUBSCRIBING WITNESSES,

WHO SIGNED IN EACH OTHER'S PRESENCE, ALL BEING PRESENT AT THE SAME TIME.

AS WITNESSES:

1. _____

2. _____ _____

TESTATOR / TESTATRIX