

LAST WILL & TESTAMENT OF

TESTATOR

[INSERT FULL NAME OF TESTATOR (i.e. PERSON WHOSE WILL THIS IS)]

DATED **20**

THIS IS THE LAST WILL AND TESTAMENT of me
[INSERT FULL NAME OF TESTATOR]
of
[INSERT FULL ADDRESS OF TESTATOR]

1. REVOCATION

I **REVOKE** all my previous Wills and testamentary dispositions.

2. DECLARATION OF FAITH

I **BEAR WITNESS** that there is nothing worthy of worship except Allah alone - without partner – and I bear witness that Muhammad is His servant and His Messenger (may the peace and blessings of Allah be upon him). I bear witness that Jesus is Allah’s servant, Messenger and His Word and Spirit sent from Him to Mary, that Paradise is true, that Hell is true, that the Hour is coming without any doubt, and that Allah will resurrect all those in the graves.

For all those I have left behind in this world: I advise you to constantly be aware of Allah, that you maintain goodness between yourselves, and that you remain in obedience to Allah and His Messenger. I advise you to stay upon the Truth and to remain patient, indeed I advise you with the same what Abraham (peace be upon him) advised his sons: *“My sons, Allah has chosen your religion for you, so make sure you devote yourselves to Him, until your dying moment.” (al-Baqarah, 132)*

Indeed to Allah belongs what He took, and to Him belongs what He gave, and He has set for everything an appointed time. So have patience and seek reward.

I ask you to follow the Sunnah of our Messenger (may the peace and blessings of Allah be upon him) with respect to any sadness you may feel or any mourning you may do. No-one is immune from the heartache of grief, but you must not let it consume you. Our Lord sent down grief as a test, and the successful ones are those who confidently embrace it. Mourning should not last more than three days except for the widow who should mourn for the relevant duration of her ‘iddah (period of waiting). There should be no extreme behaviour, wailing, or acts against the Sunnah during this time. This is disrespectful to the deceased, to yourself, and to your religion.

I finally request you to honour my instructions in this Will fully and without change.

3. FUNERAL WISHES

I **HEREBY INSTRUCT** my Executors/Trustees, my surviving relatives and my friends to ensure that I have a funeral strictly in accordance to the Sunnah, especially with respect to the washing of my body (the ghusl), the shrouding of my body (the kafan), my funeral prayer (the Janazah) and my burial (the dafn). I request my body to be released to the Funeral Services immediately upon death and for there to be no autopsy. If an autopsy became legally obligatory, I wish that this occurs by MRI scan.

I request to be buried in the Muslim Cemetery closest to the place of my death and home, if they are both local to one another. If that is not the case then I request to be buried in the Muslim Cemetery closest to the place of my death. If there is no Muslim Cemetery, then the Muslim section of a non-Muslim Cemetery will suffice.

4. GUARDIANSHIP

I **APPOINT**
[INSERT FULL NAME OF GUARDIAN]

of
[INSERT FULL ADDRESS OF GUARDIAN]

to be the Guardian of any of my children who are under the age of eighteen at the time of my death but if {he/she} is unable or unwilling to act for any reason then

I **APPOINT**
[INSERT FULL NAME OF ALTERNATIVE GUARDIAN]

of
[INSERT FULL ADDRESS OF ALTERNATIVE GUARDIAN]

to be the Guardian.

5. APPOINTMENT OF EXECUTORS/TRUSTEES

5.1 I APPOINT

[INSERT FULL NAME OF EXECUTOR AND TRUSTEE 1]

of

[INSERT FULL ADDRESS OF EXECUTOR AND TRUSTEE 1]

and

[INSERT FULL NAME OF EXECUTOR AND TRUSTEE 2]

of

[INSERT FULL ADDRESS OF EXECUTOR AND TRUSTEE 2]

and

[INSERT FULL NAME OF EXECUTOR AND TRUSTEE 3]

of

[INSERT FULL ADDRESS OF EXECUTOR AND TRUSTEE 3]

to be the Executors and Trustees of this Will.

5.2 IN this Will and any Codicil to it, the expression “my Trustees” means the Executors and Trustees of this Will for the time being, or (where the context requires) my personal representatives for the time being.

6. RESIDUARY ESTATE

I GIVE all the residue of my estate (out of which shall be paid my funeral expenses and my debts) and any property over which I have at my death any general power of appointment to my Trustees **ON TRUST** to sell, call in and convert into money such parts as do not consist of money but with full power to postpone doing so for as long as they see fit without being liable for loss (and such estate and property which currently represents it is referred to in my Will as “the Trust Fund”).

7. TRUSTS OF RESIDUE

7.1 **SUBJECT** to clauses 7.2 and 7.3 below (“my Wasiiyah”) **MY TRUSTEES** shall hold the remainder of the Trust Fund ON TRUST absolutely to be distributed and where relevant invested in accordance with Shari’ah (Islamic Law), the interpretation and application of which my Trustees in their absolute discretion shall determine provided that such distribution does not breach English Law in which case my Trustees shall apply such modifications as are necessary to comply with English Law.

7.2 **I DIRECT THAT** of the entire Trust Fund
[INSERT PERCENTAGE BETWEEN 0-33%]
is to be given to any charity or charities that you shall choose within your absolute discretion and it is my wish (without imposing any obligation) that you consider dividing this amount as follows:

To
[INSERT NAME OF CHARITY AND REGISTERED CHARITY NUMBER OF CHARITY 1]

a total of
[INSERT PERCENTAGE BETWEEN 0-33%]

To
[INSERT NAME OF CHARITY AND REGISTERED CHARITY NUMBER OF CHARITY 2]

a total of
[INSERT PERCENTAGE BETWEEN 0-33%]

To
[INSERT NAME OF CHARITY AND REGISTERED CHARITY NUMBER OF CHARITY 3]

a total of
[INSERT PERCENTAGE BETWEEN 0-33%]

7.3 **I DIRECT THAT** of the entire Trust Fund is to be given as follows:
[INSERT PERCENTAGE BETWEEN 0-33%]

To
[INSERT NAME OF INDIVIDUAL, ADDRESS AND PERCENTAGE]

To
[INSERT NAME OF INDIVIDUAL, ADDRESS AND PERCENTAGE]

8. STANDARD PROVISIONS

- 8.1 **THE** Standard Provisions and all the Special Provisions of the Society of Trust and Estate Practitioners (2nd Edition) shall apply.
- 8.2 **THIS WILL** shall be construed as if s33 of the Wills Act 1837 had not been enacted.
- 8.3 **MY TRUSTEES** are requested to have regard to generally accepted Islamic principles of investment and shall not be liable for the consequences of following such principles, nor for any loss to the Trust Fund that may result from investing, or keeping the Trust Fund or any part of it invested, in Islamic investments rather than non-Islamic investments.
- 8.4 **MY TRUSTEES** shall not be obliged to insure any part of the Trust Fund and shall not be liable for the consequences of not insuring any part of the Trust Fund.

SIGNED by me on the day of 20.....
[DATE] [MONTH] [YEAR]

.....
[INSERT SIGNATURE OF TESTATOR]

SIGNED by the said
[INSERT FULL NAME OF TESTATOR]

in our presence and then by us in {his/hers}.

Signature of first witness

Signature of second witness

.....

.....

Name

Name

Address

Address

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Occupation

Occupation