AL NURAH ACADEMY

DRAFT ISLAMIC WILL / WASIYYAH

1. Personal Information

I, _____[Full Name], of identity/passport number _____[Number], residing at _____[Full Address], being of sound mind and disposing memory, hereby declare this document to be my Islamic Will (Wasiyyah), revoking any and all previous wills made by me.

2. Declaration of Faith

I affirm my belief in the Oneness of Allah (SWT) and in His final Messenger, Prophet Muhammad (ﷺ). I request that I be treated according to the tenets of Islam in all matters after my death.

3. Funeral, Burial, and Related Instructions

3.1 I instruct that my ghusl (ritual washing), kafan (shrouding), janāzah (funeral prayer), and burial be carried out strictly in accordance with Sharīʿah, supervised by knowledgeable Muslims.

3.2 I request burial in a Muslim cemetery, with a simple grave, without unnecessary expenditure, structures, or decorations.

3.3 No autopsy should be performed unless legally required. No unnecessary embalming should be done.

3.4 I forbid cremation.

4. Debts, Liabilities, and Financial Obligations

4.1 All Islamically recognised debts, including outstanding loans, business liabilities, unpaid dower (mahr) to my spouse (if any), and any zakāh, kaffārah, fidyah, or missed ḥajj obligations must be discharged from my estate before distribution.

4.2 Any person claiming a debt must provide legitimate proof according to Sharīʿah.

5. Bequests (Wasiyyah) – Up to One-Third of Net Estate

5.1 After payment of funeral expenses and debts, I bequeath up to one-third (1/3) of the remaining estate for permissible charitable, religious, or personal causes, as follows:

- [Optional Beneficiary 1] – [Amount or Percentage]

_____

- [Optional Beneficiary 2] – [Amount or Percentage]

_____

- [Charity/Organisation] – [Amount or Percentage]

_____

5.2 If any named beneficiary is legally disqualified, their share shall be redirected to another Sharīʿah-compliant charitable purpose.

6. Distribution of the Remaining Estate

6.1 After the fulfilment of sections 3, 4, and 5, the remainder of my estate shall be distributed strictly according to Islamic Law of Inheritance (Farā'iḍ).

6.2 The exact shares shall be determined by a qualified Islamic scholar or institution specialising in inheritance calculations. My estate executor must consult such an authority before distribution.

7. Executor and Supervisor (Wasī & Sharīʿah Supervisor)

7.1 I appoint _____[Full Name] as the Executor (Wasī) of my estate.

7.2 If the appointed executor is unable or unwilling to serve, I appoint _____[Alternate Name].

7.3 My executor must consult a qualified Sharīʿah body (e.g., a recognised local Jamiat, Ulama Council, or Darul Iftaa) regarding inheritance calculations and compliance with Islamic law.

7.4 The executor has authority to collect, safeguard, administer, and distribute my estate in full accordance with this will and South African law (or relevant country).

8. Guardianship of Minor Children

8.1 Should I leave behind minor children, I appoint the following as guardians (in order of priority):

- Primary Guardian: [Name]_____
- Alternate Guardian: [Name]_____

8.2 Guardians must act in accordance with Sharīʿah principles, ensuring children are raised within the Islamic faith.

8.3 The guardian shall manage any property belonging to the children with integrity and may not use such property for personal benefit except as Sharīʿah permits.

9. Digital Assets and Documents

9.1 I direct my executor to take possession of my digital accounts, including:

- Online banking
- Social media
- Email
- Digital storage/records
- Cryptocurrencies or digital investments

9.2 My executor may close or archive accounts while preserving any monetary value or valuable data for distribution.

10. Business Interests

10.1 Any partnerships, shares, or business assets must be evaluated and settled according to applicable contracts and Sharīʿah rules.

10.2 My executor must ensure the business is wound down or transferred in a manner compliant with Islamic inheritance rules.

11. Property Outside the Country

If I own property in another country, I instruct my executor to manage and distribute such property in accordance with Sharīʿah and the applicable local laws.

12. Contestation and Disputes

12.1 Any dispute regarding interpretation of this will shall be referred first to a qualified Sharīʿah authority.

12.2 I request my family to avoid dispute and accept this will in the spirit of harmony and Islamic compliance.

13. Miscellaneous Provisions

13.1 Any item not specifically mentioned shall still fall under Sharīʿah rules of inheritance.

13.2 If any clause in this will is legally invalid, the remainder of the will shall continue in full force.

14. Other:

_____

_____

_____

_____

15. Signature

Testator:

Name: _____

Signature: _____

Date: _____

Witness 1:

Name: _____

Signature: _____

Date: _____

Witness 2:

Name: _____

Signature: _____

Date: _____