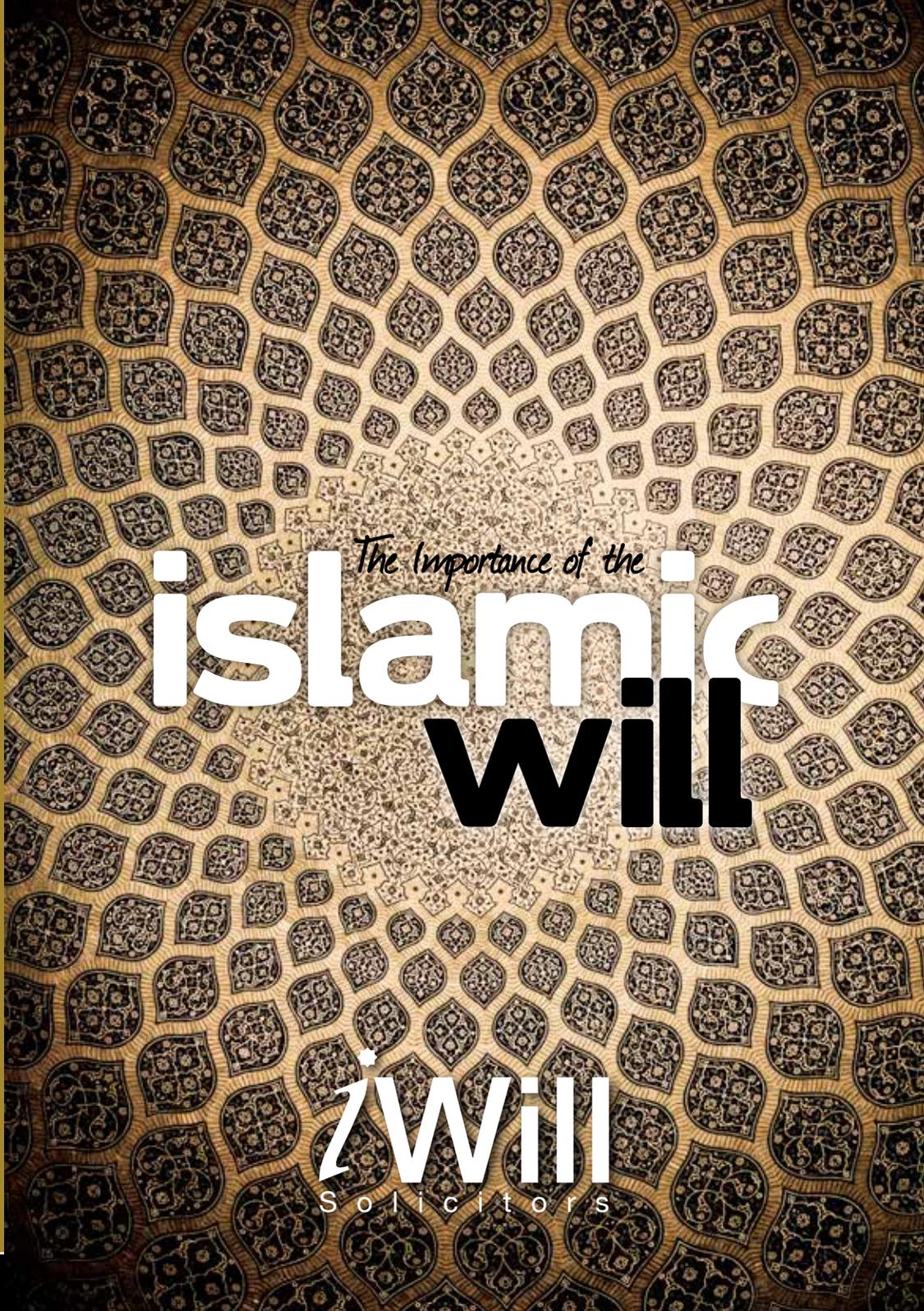




t: 0121 603 0077 | f: 0121 345 0814 | e: info@iwill solicitors.com  
Registered Office: 209 Streetly Road, Erdington, Birmingham, B23 7AH

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A complex, repeating geometric pattern in shades of gold, brown, and black, resembling a traditional Islamic mandala or tilework. The pattern consists of interlocking shapes with intricate floral and geometric motifs.

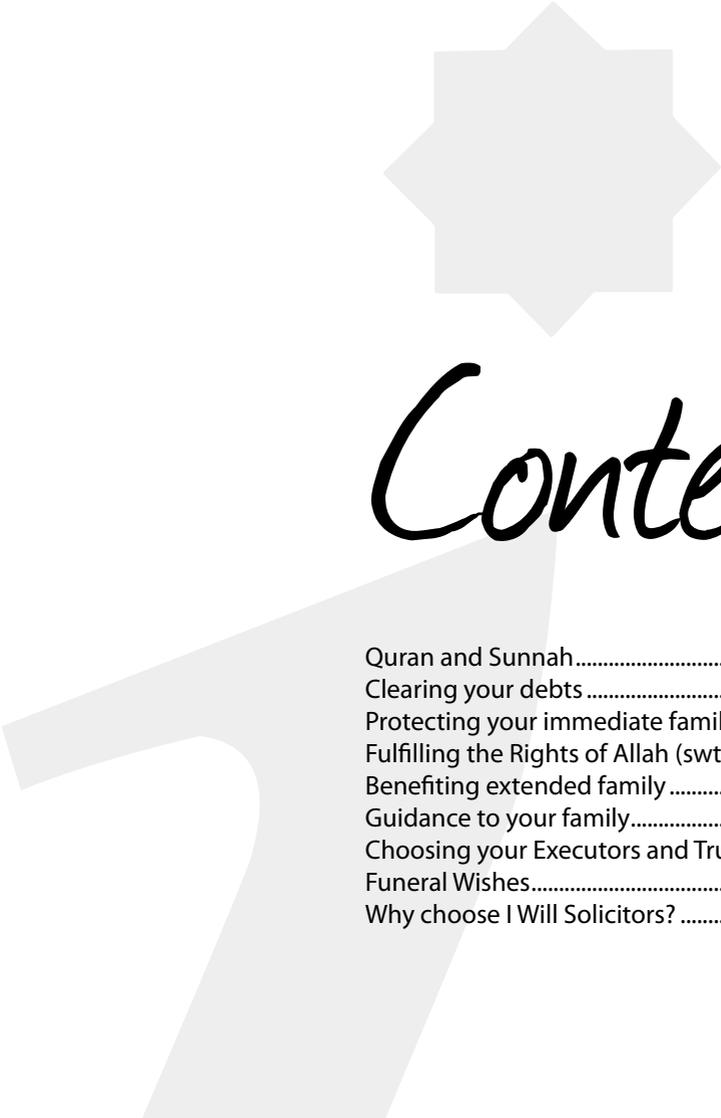
*The Importance of the*  
**islamic**  
**will**



I received this booklet on: .....(Insert Date)



*Can you afford to delay?*



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# Quran

## AND SUNNAH

There are numerous references relating to Wills from the Quran and the sunnah (sayings and actions) of the Prophet Muhammad (pbuh). Simply reflecting on just a few of these references ought to make one realise the importance of writing an Islamic Will.

### Quran

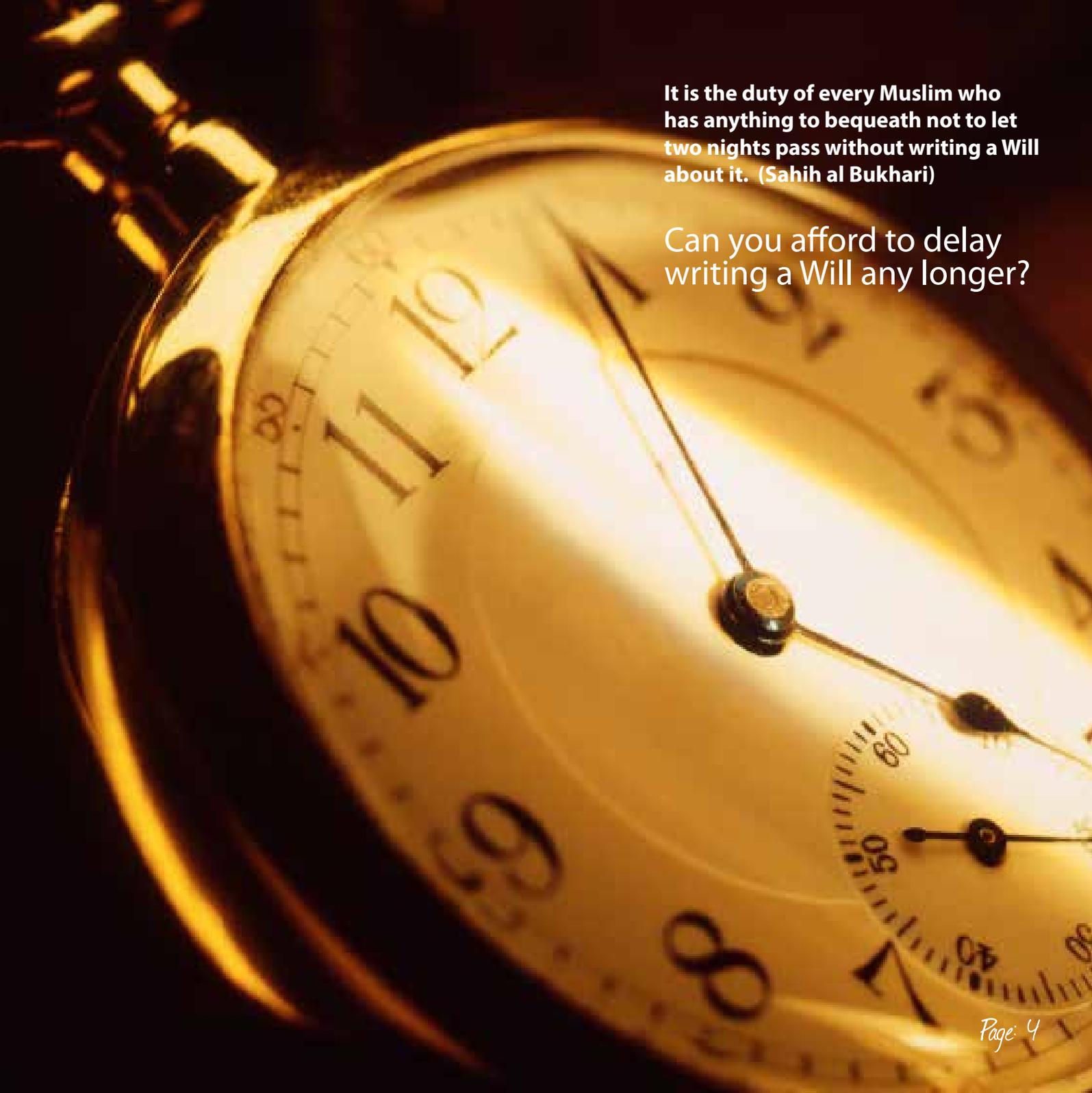
"It is prescribed, when death approaches any of you, if he leave any goods, that he make a bequest to parents and near relatives, according to reasonable usage; this is due from the God-fearing."

(Surah Al-Baqarah, v 180)

### Hadith

"A man may do good deeds for seventy years but if he acts unjustly when he leaves his last testament, the wickedness of his deed will be sealed upon him, and he will enter the Fire. If (on the other hand), a man acts wickedly for seventy years but is just in his last Will and testament, the goodness of his deed will be sealed upon him, and he will enter the Garden."

(Ahmad and Ibn Majah)



It is the duty of every Muslim who has anything to bequeath not to let two nights pass without writing a Will about it. (Sahih al Bukhari)

Can you afford to delay writing a Will any longer?

# Clearing

## YOUR DEBTS

Although all well drafted Wills should have a provision to provide for debts to be cleared, it is still important to keep a note of your debts. Being free of debt is of great importance as mentioned in many sayings of the Prophet (pbuh). The Will can be drafted to make references to specific or general debts.

# Protecting

## YOUR IMMEDIATE FAMILY

If you die without leaving a Will, English law states that the 'intestacy' rules should be used to distribute your estate. These rules are not consistent with what is required under the Shariah and as such the writing of a Will is regarded as extremely important for Muslims living in this country. Effectively by not writing a Will you are choosing the English law of intestacy over Islamic law. This may mean that your Islamic marriage (or divorce) may not be recognised resulting in your not having complied with the rights of your spouse. The rights of your children and parents are also likely to be compromised. By writing an Islamic Will you can ensure compliance with the shariah and conformity with English law. (All Wills prepared by I Will Solicitors are recognised as valid under English law.)



# Fulfilling

## THE RIGHTS OF ALLAH (SWT)

It is recommended to leave a portion of your estate (known as the 'wasiyya') to compensate for any lifetime obligations, owed to Allah (swt), that one may not have met. For example if you have any missed prayers, or have yet to perform the Hajj then provision can be made within your Will to expiate for these shortcomings.

# Benefiting

EXTENDED FAMILY,  
ORPHANS AND THE POOR  
AND NEEDY

It is also recommended to use the wasiyya to provide for needy relatives, the poor and orphans (Surah An-Nisa v6). By leaving a gift in your Will to needy relatives or for charitable purposes you help not only the recipient(s) but the act of charity will help yourself in the next life. Further, gifts set up as a 'continuing charity' (Sadaqah Jariyah) are one of the very few actions that continue to be rewarded after you die.

Leaving a legacy to registered charities also has financial benefits. Gifts to charities registered in the UK are free from inheritance tax which can lead to savings of 40% of the value of the gift.



# Guidance

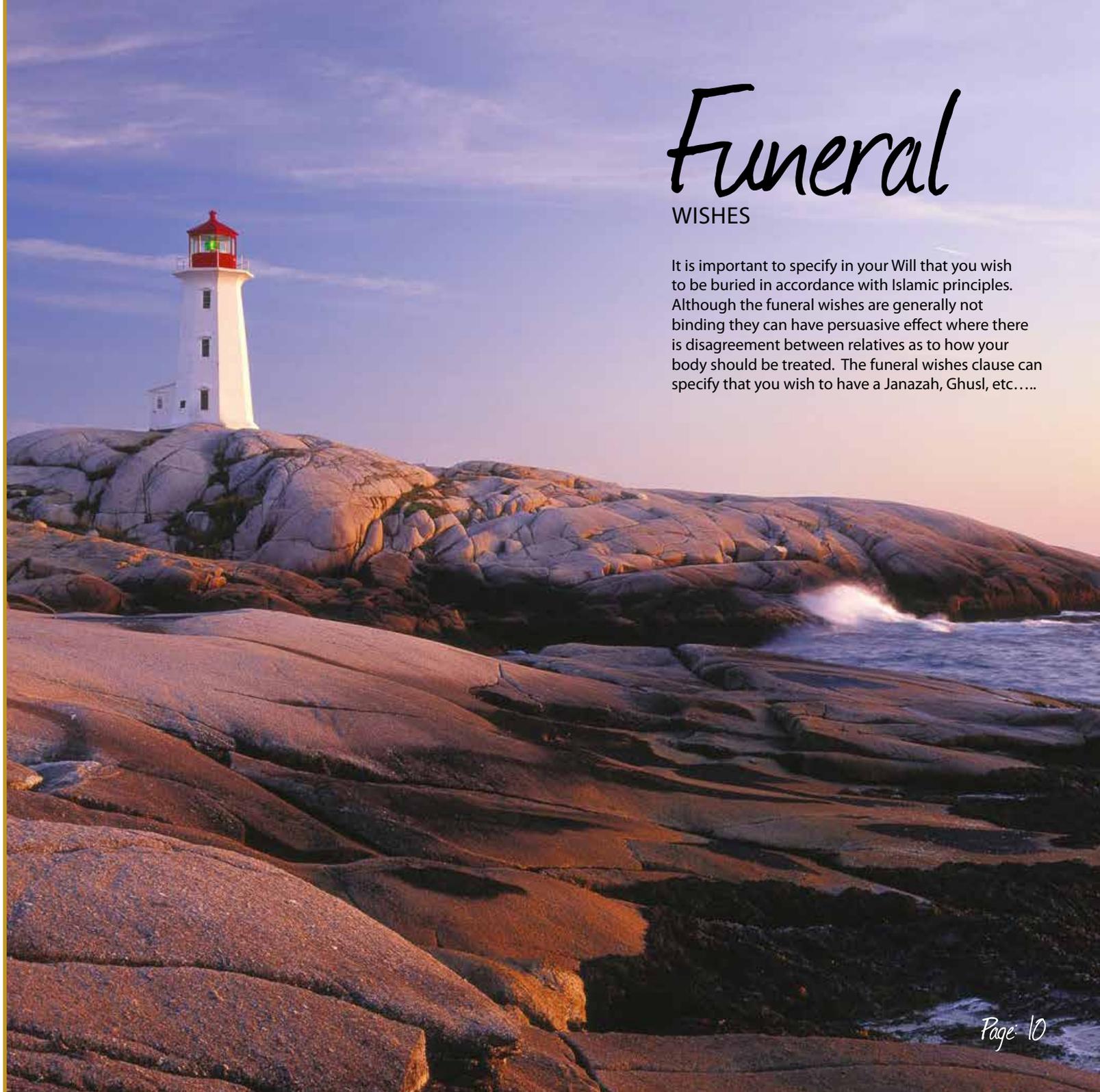
TO YOUR FAMILY

The wasiyya is clearly of high importance when writing your Will, similarly leaving guidance (or 'nasiyha') is of similar importance. Within all Islamic Wills prepared by I Will Solicitors, provision is made for a Declaration of Faith clause to be used in the Will that confirms you are Muslim and advises your surviving family to fear Allah (swt) and to act in a righteous manner after your death. This clause is written in powerful language and acts as a useful reminder at a difficult time for surviving family and relatives.

# Choosing

## YOUR EXECUTORS & TRUSTEES

If you die without a valid Will, then not only do the intestacy rules determine who is to benefit from your estate, but they also determine who has the right to 'administer' your estate, that is to collect your assets, pay debts and distribute the net estate. At verse 9 in Surah An-Nisa it is stated "Let those (disposing of an estate) have the same fear in their minds as they would have for their own if they had left a helpless family behind; let them fear Allah (swt) and speak words of appropriate (comfort)". Surely you should write a Will so that you can ensure that the 'right' people are appointed to act as your executors and trustees. Further, if you have a large or complicated estate it is often worthwhile appointing professional executors/trustees. By appointing trustworthy and competent executors your estate is more likely to be administered quickly and without dispute.



# Funeral

## WISHES

It is important to specify in your Will that you wish to be buried in accordance with Islamic principles. Although the funeral wishes are generally not binding they can have persuasive effect where there is disagreement between relatives as to how your body should be treated. The funeral wishes clause can specify that you wish to have a Janazah, Ghusl, etc. ....

# Why Choose I WILL SOLICITORS?

We always recommend that you have your Will drafted by a qualified solicitor who specialises in the preparation of Wills and who has experience in dealing with administering the Will post death. Having your Will prepared by a so called professional or assuming that it is easily done could prove a costly mistake that is discovered when it is too late. Further, your adviser ought to have experience in dealing with both the Shariah and English law. For example, factors such as marriage (are you legally married?), co-habitation, divorce, pensions, life policies and the type of joint ownership all need to be considered when preparing a Will, not just the prescribed Shariah distribution.

I Will Solicitors specialise in Wills, Inheritance Tax Planning, Estate Administration (also known as Probate), Trusts and Court of Protection work. Unlike many practices these are our core areas of expertise and not only do we have qualified lawyers of many years' experience, our lawyers are also qualified members of the Society of Trust and Estate Practitioners, (STEP). STEP is the principal professional body for estate practitioners worldwide and we strongly recommend you look out for the initials T.E.P within your adviser's credentials.



This fact sheet has been prepared to highlight some of the key issues relating to making your Will. It is intended as general guidance only and is correct as at May 2012.

Should you require any specific legal advice,

**Please contact:**

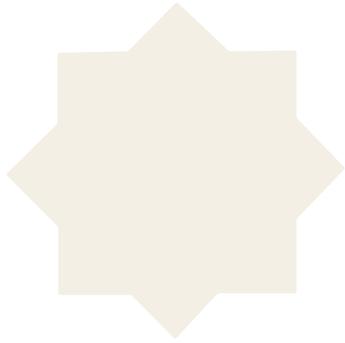
0121 603 0077

**Alternatively email at:**

[info@iwillsolicitors.com](mailto:info@iwillsolicitors.com)

**Or visit:**

[www.iwillsolicitors.com](http://www.iwillsolicitors.com)



*I Will Solicitors is proud of its partnerships and links with a number of charities and organisations...*



*How long did it take you to prepare your Islamic Will? .....(Insert Date)*

*Our other services:*

- Probate (Estate Administration);
- Court of Protection work;
- Trusts;
- Inheritance Tax Planning;
- Powers of Attorney;
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