

# Islamic Last Will and Testament (*Wasiyyah*)

**Testator:**

**Date:**

*Testator:*

*Witness 1:*

*Witness 2:*

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*Testator:*

*Witness 1:*

*Witness 2:*

## **Introduction:**

### **Obligation of Islamic Will and Testament; From Quran and Sunnah**

In the name of Allah, the Most Beneficent, the Most Merciful

Quranic injunction;

*"It is prescribed for you that when any of you approaches death, if he leaves any good, let him make a will for the parents and other relatives. This is a duty for those who are mindful of Allah." (2:180).*

The Prophet Muhammad (pbuh) has emphasized the importance of the preparation of a Will at one's earliest opportunity.

According to a narration reported by Abdullah ibn Umar (ra), the Messenger of Allah (pbuh) said: "It is not befitting for a Muslim who has something to make a Will, to remain for two nights without having one's last Will and testament written and kept ready." (Sahih Bukhari)

### **General Instructions**

1. The "testator" is the person making out an Islamic Will (*Wasiyyah*), whose estate will be divided according to Islamic Law, following his/her death.
2. Each page of the Will must be signed in full by the testator and two witnesses, all of whom will sign in the presence of each other. The testator and both witnesses must also attach their full signatures to any additional schedules added to the Will.
3. Executors or Administrators of the estate may be relatives who stand to inherit from the testator or any other reliable and trustworthy Muslims.
4. The heirs of the testator may not be witnesses to the Will. For this purpose, such individuals who do not stand to inherit should be selected.
5. An inventory must be made of all movable and immovable assets and all property belonging to the estate, upon demise. The testator should mention in Addendum A, details of any property or belongings of which only he/she knows.
6. A minor may not be a witness to the Will.
7. If required, additional pages may be added to this document, labelled as 'Addendum', and such pages should be numbered and signed by the testator and witnesses accordingly.
8. The electronic version of this document may be amended, and modified to suit specific and individual needs.
9. As outlined in the Disclaimer above, Muslim scholars, and qualified imams should be consulted to ensure compliance with Islamic Law.
10. Legal consultation to ensure compliance with Canadian Law, is recommended.
11. This document must be notarized, in the presence of witnesses.

*Testator:*

*Witness 1:*

*Witness 2:*

# LAST WILL & TESTAMENT

(Compliant to Islamic Jurisprudence)

## **Article 1: PREAMBLE**

\_In the name of Allah, the Most Beneficent, the Most Merciful;

I, *[name of individual]*, declare that I am a firm believer of Allah and Prophet Muhammad (peace be upon him) and other prophets, and am a follower of the Islamic Sunni faith. I ask all my relatives, friends, and all others, whether they share my beliefs or not, to honour my constitutional right to these beliefs. I ask them to honour this document, to implement its directives and to preserve its content.

I direct and advise my children to cooperate, collaborate and to maintain cordial, Islamically appropriate relations. I direct them to provide the best care and support to their living parent. I further direct them to adhere to Islamic principles in all of their affairs. In particular, I direct them to practice *mashwarah* (corroborative decision-making).

## **Article 2: IDENTITY OF TESTATOR, HEIRS**

I, *[name of individual]*, presently residing at, *[address of individual]*, being of sound mind and memory, do hereby revoke any and all former Wills made by me, and do make, ordain, publish, and declare this my last Will and Testament. At the time of the execution of this Will, my immediate family consists of:

Name	Relationship	Date of Birth

## **Article 3: FUNERAL AND BURIAL RITES**

I ordain that no autopsy or embalmment be done on my body unless required by law, that without unjustified delay my body be washed, enshrouded and ..... in the prescribed manner. I ordain that *salatul-janazah* (funeral prayer) be conducted by the presiding imam or his designate. I ordain that my interment be conducted without delay.

Testator:

Witness 1:

Witness 2:

- A. I hereby nominate and appoint, *[name of individual]* residing at, *[address of individual]* to execute these and other necessary provisions for my Islamic funeral and burial. If the above-named person shall be unwilling or unable to execute, I nominate and appoint *[name of individual]* residing at, *[address of individual]*. If this person shall be unwilling or unable to execute, I nominate and appoint *[name & address of your Masjid/funeral provider]*, to execute these provisions of funeral and burial. If this is not feasible or practical, I nominate and appoint the closest registered Sunni Muslim Organization to execute these provisions.
- B. I ordain that my body be prepared for burial by Sunni Muslims according to the dictates of *Shariah* (Sunni Islamic Law), in an expedited manner and that there is to be no viewing of my **remains after washing**.
- C. I ordain that absolutely no non-Islamic religious service or observance shall be conducted upon my death, or to my body.
- D. I ordain that no pictures, crescents and stars, decorations, crosses, flags, or any symbols, Islamic or otherwise, or any music be involved at any stage of the process of conducting my burial or ever be placed at the site of my grave.
- E. I ordain that my body shall not be transported over any unreasonable distance from the locality of death, particularly when such transportation would necessitate embalming, unless long-distance transportation is required to reach the nearest Muslim cemetery, or if decided upon by my Muslim family.
- F. I ordain that my grave be dug in accordance with the specifications of Islamic practice; and that it faces the direction of the Kiblah (the orientation of Muslims during their prayers).
- G. I ordain that my body be buried without a casket or any other encasement that separates my enshrouded body from the surrounding soil. In the event that the local laws require casket encasement, I ordain that such encasement be simple, with minimal cost.
- H. I ordain that my grave be levelled with the ground or slightly mounded with no monuments or construction of any kind. If necessary, a simple marker may be placed, merely to indicate the presence of a grave. There shall be no inscriptions or symbols on the said grave marker.

**Article 4: EXECUTOR AND ADMINISTRATOR**

I hereby nominate and appoint *[name of individual]*, residing at *[address of individual]*, to be the executor and administrator of this, my Last Will and Testament. In the event that this person is unwilling or unable to act as executor, I nominate and appoint *[name of individual]*, residing at *[address of individual]*, to be the executor of this Will. In the event that this person is unwilling or unable to act as executor, I nominate and appoint the *[name & address of your Masjid]*, to have the right to nominate and appoint a qualified person to be executor of this will. 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, without a court order and without bond. I direct that no bond or surety for any bond be required for my executor in the performance of his/her duties.

*Testator:*

*Witness 1:*

*Witness 2:*

**Article 5: CUSTODY OF MINOR CHILDREN AND GUARDIANSHIP:**

If at my death any of my children are minors I nominate and appoint my husband/wife, *[name of individual]*, to be guardian of the person(s) of my minor children, provided he/she is a Muslim. If he/she is unable or unwilling to serve as personal guardian, I nominate and appoint *[name of individual]* to be guardian of the person(s) of my minor children. If he/she is unable or unwilling to serve as personal guardian, I nominate and appoint *[name of individual]*, to be guardian of the person(s) of my minor children. In all cases, I urge that all my minor children be raised to be practicing Muslims and not in any way be indoctrinated into any other faith or religion. I direct that no bond be required of any personal guardian.

Any property or other inheritance that this Will gives to any of my minor children shall be administered by their personal guardian in the best interest of the children.

**Article 6: ALLOCATION OF ESTATE (IN ORDER OF PRIORITY)**

1. I direct that my executor initially allocate assets of my estate to the payment of the expenses associated with my burial, to my medical expenses, to the repayment of my debts, unfulfilled obligations, and loans in Article 8 and to legal/ administrative expenses, including taxes, which are associated with my estate.
2. I direct that my executor allocate and distribute from the residue of my estate, charitable contributions as outlined in *Article 6, [Wasiyyah (bequest)]*.
3. I direct that my executor allocate and distribute from the balance of the residue of my estate, to my legitimate Muslim heirs, as outlined under *Article 7, [Mawarib (inheritance)]*

Testator:

Witness 1:

Witness 2:

**Article 7: CHARITABLE CONTRIBUTIONS AND TESTAMENTARY TRANSFER**

I direct my executor to pay the following contributions and transfers, not to exceed one-third\* of the remainder of my estate after making provision for payments of my obligations mentioned above, to the named persons and organizations:

\* An heir (s) may decline his/her share of the inheritance, and direct their portion toward charitable contributions

Name of Person/Organization	Amount/Percent of Estate

**Article 8. UNFULFILLED OBLIGATIONS, LOANS**

Unfulfilled Obligation	Directives, Compensation
Siyaam (Compulsory fasting)	
Zakah (Compulsory Alms)	
Mahr (Marriage Gift)	
Hajj (Compulsory Pilgrimage)	
Loans (Dayn)	

Testator:

Witness 1:

Witness 2:

**Article 9: DISTRIBUTION OF RESIDUE OF ESTATE**

- A. I direct all the residue and remainder of my estate, after making provision for payment of my obligations (Article 6) and charitable contributions and obligation (Article 7 & 8), to be distributed only to my Muslim heirs whose relation to me, whether ascending or descending, has occurred through Islamic or lawful marriage at each and every point.
- B. Should I die as a result of murder, I direct that the adjourned murderer, principal or accessory in the murder, shall be disqualified to receive any part of my estate.
- C. I direct that any fetus conceived before my death, whose relationship to me qualifies it to be an heir, according to Article 6, 7, 8 shall be considered an heir, if the fetus is born alive. In such a situation, the whole distribution of the residue and my estate, after the execution of Articles 6, 7 and 8, shall be delayed until after the birth of the fetus.

The distribution of the residue and remainder of my estate shall be made strictly in accordance with Islamic Jurisprudence dictating inheritance, as outlined in detail in the Schedules in Appendix A.

**Article 10: ADDITIONAL INSTRUCTIONS AND DIRECTIVES REGARDING ASSETS:**

**Major Assets, and Properties:**


**Article 11: SEPARABILITY**

I direct and declare 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.

*Testator:*

*Witness 1:*

*Witness 2:*

**SIGNATURES, ATTESTATION, NOTARIZATION, SEAL**

Signed, Published and Declared by the Testator, as his last Will and Testament, in the presence of us, both present at the same time, who at his request, in his presence have subscribed our names as witnesses.

**Will Provider (Testator):** \_\_\_\_\_

Signature: \_\_\_\_\_

Dated: \_\_\_\_\_

**1<sup>st</sup> Witness:** \_\_\_\_\_

Signature: \_\_\_\_\_

Dated: \_\_\_\_\_

Address: \_\_\_\_\_

**2<sup>nd</sup> Witness:** \_\_\_\_\_

Signature: \_\_\_\_\_

Dated: \_\_\_\_\_

Address: \_\_\_\_\_

This document is made in \_\_\_\_\_ number of copies, all the same and all original. One is with me and one is with the executor. The rest of these \_\_\_\_\_ copies are at:

\_\_\_\_\_  
\_\_\_\_\_

*Testator:*

*Witness 1:*

*Witness 2:*

**Appendix A: DISTRIBUTION OF THE ESTATE IN ACCORDANCE TO ISLAMIC LAWS OF INHERITANCE**

**Schedule 1: One or more sons, any number of daughters**

<b>Surviving Heirs</b>	<b>Share of the Remainder of My Estate</b>
1a. with no other relatives	He, or they, get all the remainder such that sons are equal in their class, daughters are equal in their class, and for a daughter half of a son's share.
1b. with wife	1/8 to wife, the rest as in 1.a
1c. with husband	1/4 to husband, the rest as in 1a
1d. with father and mother	1/6 to father and 1/6 to mother, the rest as in 1a
1e. with one parent	1/6 to parent, the rest as in 1.a
1f. with any Possible combination of 1b, 1c, 1d, and 1e	Spouse and parents take shares mentioned above, and the rest as in 1a
1g. with father of father, no parents, no other grandparents	1/6 to father of father and the rest as in 1a
1h. with father of father and mother of father or mother of mother, no parents	1/6 to father of father, 1/6 to either mother of father or mother of mother, the rest as in 1a
1i. 1g or 1h) with wife	1/6 to mother of father or of mother (if she exists); 1/6 to father of father, 1/8 to wife, and father of father, the rest as in 1a
1j. 1g or 1h with the husband	1/6 to mother of father or of mother (if she exists); 1/6 to father of father; 1/4 to husband; the rest as in 1a.

*Testator:*

*Witness 1:*

*Witness 2:*

1k. with father of father and mother, no father	1/6 to mother, 1/6 to father of father, the rest as in 1a
1l. 1k with wife	1/6 to mother, 1/6 to father of father, 1/8 to wife, and the rest as in 1a
1m. 1k with husband	1/6 to mother, 1/6 to father of father, 1/8 to wife, and the rest as in 1a
1n. with father and mother of mother (no mother)	1/6 to mother of mother, 1/6 to father, and the rest as in 1a
1o. 1n with wife	1/6 to father, 1/6 to mother of mother, 1/8 to wife, and the rest as in 1a
1p. 1n with husband	1/6 to father, 1/6 to mother of mother, 1/4 to husband, and the rest as in 1a
1q. with either mother of father or mother of mother, no parents, and no father of father	1/6 to mother of mother or mother of father, the rest as in 1a
1r. 1q with wife	1/6 to mother of mother or mother of father, 1/8 to wife, the rest as in 1a
1s. 1q with husband	1/6 to mother of mother or mother of father, 1/4 to husband, the rest as in 1a
1t. 1h, 1n, or 1q, but instead of one grandmother, there are two or more, same degree, grandmothers (i.e. mother of mother and mother of father; or mother of mother of mother, mother of mother of father, and mother of father of father, disregard mother of father of mother, and no mother of mother nor mother of father)	grandmothers share equally 1/6, father or grandfather 1/6, the rest as in 1a

*Testator:*

*Witness 1:*

*Witness 2:*

1u. 1t with husband or wife	grandmothers share equally $\frac{1}{6}$ , father or grandfather $\frac{1}{6}$ , husband $\frac{1}{4}$ , or wife $\frac{1}{8}$ , the rest as in 1a
1v. In each of 1a through 1u, disregard all other relatives not mentioned in the relevant sub-cases	

**Schedule 2: One or more daughters, no sons**

<b>Surviving Heirs</b>	<b>Share of the Remainder</b>
2a. with no other relatives	If one only, she takes all the remainder. If more than one, they equally share all the remainder.
2b. with wife	$\frac{1}{8}$ to wife, the rest as in 2a
2c. with husband	$\frac{1}{4}$ to husband, the rest as in 2a
2d. with father	$\frac{1}{2}$ to the one daughter, $\frac{1}{2}$ to the father. If more than one, they share $\frac{2}{3}$ equally and $\frac{1}{3}$ to father
2e. with mother	$\frac{1}{4}$ to mother, $\frac{3}{4}$ to daughter. If more than one, they share $\frac{4}{5}$ equally and $\frac{1}{5}$ to mother
2f. with both parents	$\frac{1}{6}$ to mother, $\frac{1}{3}$ to father, $\frac{1}{2}$ to daughter. If more than one, $\frac{2}{3}$ to daughters equally, $\frac{1}{6}$ to mother, and $\frac{1}{6}$ to father
2g. with wife and father	$\frac{1}{8}$ to wife, $\frac{1}{2}$ to daughter, and $\frac{3}{8}$ to father. If more than one, $\frac{2}{3}$ to daughters equally, $\frac{1}{8}$ to wife, and $\frac{5}{24}$ to father
2h. with wife and mother	$\frac{1}{8}$ to wife, $\frac{7}{32}$ to mother, $\frac{21}{32}$ to daughter. If more than one, $\frac{1}{8}$ to wife, $\frac{7}{40}$ to mother, and $\frac{7}{10}$ to daughters equally

*Testator:*

*Witness 1:*

*Witness 2:*

2i. with wife and both parents	1/8 to wife, 1/6 to mother, 5/24 to father, and 1/2 to daughter. If more than one, 3/27 to wife, 4/27 to mother, 4/27 to father, and 16/27 to daughters equally
2j. with husband and father	1/4 to husband, 1/4 to father, and 1/2 to daughter. If more than one, 3/13 to husband, 2/13 to father, and 8/13 to daughters equally
2k. with husband and mother	1/4 to husband, 7/36 to mother, 5/9 to daughter. If more than one, 3/13 to husband, 2/13 to mother, and 8/13 to daughters equally
2l. with husband and both parents	3/13 to husband, 2/13 to father, 2/13 to mother, and 6/13 to daughter. If more than one, 3/15 to husband, 2/15 to father, 2/15 to mother, and 8/15 to daughters equally
2m. with father of father, no father, and no brothers	1/2 to father of father, 1/2 to daughter. If more than one, 1/3 to father of father and 2/3 to daughters equally
2n. 2m with wife	As in 2g, but father of father in place of father
2o. 2m with husband	As in 2j, but father of father in place of father
2p. 2m with mother, or without mother but with either mother of father or mother of mother	As in 2f, but father of father in place of father and grandmother in place of mother; the two grandmothers divide share of mother equally between themselves
2q. 2p with wife	As in 2i, but father of father in place of father and grandmother in place of mother; the two grandmothers divide the share of mother equally between themselves

*Testator:*

*Witness 1:*

*Witness 2:*

2r. 2p with husband	As in 2l but father of father in place of father and grandmother in place of mother; the two grandmothers divide the share of mother equally between themselves
2s. 2p, 2q, 2r but in place of mother, both mother of mother, mother of father; or mother of mother of mother, mother of mother father and mother of father of father; disregard mother of father of mother	The two grandmothers (or the three great grandmothers) share equally what is assigned to the mother or one grandmother in cases 2p, 2q, and 2r; the rest as in 2p, 2q, and 2r respectively
2t. with son of son	1/2 to daughter, 1/2 to son of son. If more than one, 2/3 to daughters equally and 1/3 to son of son
2u. with more than one son of son(s) and any number of daughters of son(s)	As in 2t, but the share of son of son is divided among son of son(s) and daughters of son(s) according to rules stated in 1a
2v. 2t or 2u with wife or husband	1/2 to daughter, 1/8 to wife, or 1/4 to husband, the rest to children of son(s) as in 2.t or 2u. If more than one daughter, 2/3 to daughters equally, 1/4 to husband or 1/8 to wife, the rest to children of son(s) as in 2t or 2u
2w. 2v with both parents	1/2 to daughter, 1/8 to wife, 1/6 to mother, and 1/24 to grandchildren as in 2t and 2u. 6/13 to daughter, 3/13, 2/13 to father, 2/13 to mother, nothing to grandchildren. If more than one daughter, 16/27 to daughters equally, 3/27 to wife, 4/27 to mother, 4/27 to mother, 4/27 to mother, nothing to grandchildren, 8/15 to daughters, 3/15 to husband and 2/15 to mother, 2/15 to father, nothing to grandchildren

*Testator:*

*Witness 1:*

*Witness 2:*

<p>2x. 2v with one parent</p>	<p>1/2 to daughter, 1/8 to wife, 1/6 to parent, and 5/24 to children of son(s) as in 2t and 2u; or, 1/2 to daughter, 1/4 to husband, 1/6 to parent, and 4/12 to children of son(s) as in 2t and 2u. If more than one daughter, 2/3 to daughters, 1/8 to wife, 1/6 to parent and 1/24 to children of son(s) as in 2t and 2u; or, 8/13 to daughters, 2/13 to parent and 3/13 to husband, nothing to grandchildren</p>
<p>2y. 2v with father of father, no father and no brothers, and mother; or with father of father, no father and no brother(s) and grandmother(s) on either side, and no mother</p>	<p>As in (2.w), but replace father of father for father and grandmother(s) for mother. Share of grandmothers is divided equally between them</p>
<p>2z. with daughters of son(s) and no sons of sons</p>	<p>3/4 to the daughter and 1/4 to the daughter(s) or son(s), equally between them. If more than one daughter; all to daughters, nothing to daughter(s) of son(s)</p>
<p>2aa. with sister(s) of same parents (no brothers), or with brother(s) of the same two parents (no sisters)</p>	<p>1/2 to the daughter, 1/2 to sister (or brother), or equally among all sisters (or brothers). If more than one daughter; 2/3 to daughters, 1/3 to sister (or brother) or equally among sisters (or brothers)</p>
<p>2bb. with sister(s) and brother(s) of the same two parents</p>	<p>1/2 to daughter, 1/2 to sister(s) and brother(s) on the basis of one share to female and two shares to male. If more than one daughter, 2/3 to daughters, 4/3 to sister(s) and brother(s) on same basis</p>
<p>2cc. 2aa or 2bb with wife or husband</p>	<p>1/2 to daughter, 1/8 to wife and 3/8 to sister(s) and/or brother(s) as in 2aa) and 2bb. 1/2 to daughter, 1/4 to husband, 1/4 to sister(s) and/or brother(s) as in (2.aa) or (2.bb) respectively. If more than one daughter, 2/3 to daughters, 1/4 to husband, or 1/8 to <i>wife</i>, the rest to sister(s) and/or brother(s) as in (2.aa) or (2.bb) respectively</p>

Testator:

Witness 1:

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2dd. with uncle(s) from same parents as father	1/2 to daughter and the rest to uncle, or uncles equally between them. If more than one daughter, 2/3 to daughters and the rest to uncle or uncles equally between them
2ee. with one grandmother, either side, or both grandmothers	5/6 to daughter and 1/6 to grandmother or grandmothers <sub>51</sub> equally between them. If more than one daughter, 5/6 to daughters and 1/6 to grandmothers

**Schedule 3: Grandchildren, no son(s), no daughter(s)**

Apply Case No.1 and Case No. 2 after substituting daughter(s) of son(s) for daughter(s) and Son(s) of Son(s) for son(s).

**Schedule 4: Parents, no children**

<b>Surviving Heirs</b>	<b>Share of the Remainder</b>
4a. father alone; or father and brother(s) and/or sister(s)	all the remainder to father alone, nothing to brother(s) and sister(s)
4b. father and wife or husband	1/4 to wife, or 1/2 to husband, and the rest to father
4c. father and mother, no brothers, no sisters	1/3 mother, the rest father
4d. 4c with husband or wife	1/2 to husband, 1/6 to mother, the rest to father
4e. both parents, with brother(s) and/or sister(s) and with wife or husband	1/6 to mother, nothing to brother(s) and sister(s), the rest to father. 1/6 to mother, nothing to brother(s) and sister(s), 1/4 to wife, or 1/2 to husband; the rest to father
4f. mother only	she takes all the remainder
4g. mother and husband or wife	1/4 to wife, or 1/2 to husband, and the rest to mother

*Testator:*

*Witness 1:*

*Witness 2:*

4h. mother with one brother or one sister of the same two parents or on father's side	1/3 to mother, rest to brother. 2/5 to mother, the rest to sister
4i. 4h with husband or wife	1/3 to mother, 1/2 to husband or 1/4 to wife, the rest to brother. 4/13 to mother. 3/13 to wife, and 6/13 to sister. 2/8 to mother, 3/8 to husband, and 3/8 to sister
4j. mother with at least two brothers, brother(s) and sister(s) all of same two parents or on father's side	1/6 to mother, the rest to brothers or brother(s) and sister(s) according to rules in 1a
4k. 4j with husband or wife	1/6 to mother, 1/4 to wife, or 1/2 to husband, the rest to brothers or brother(s) and sister(s) as in rules 1a
4l. mother with two sisters or more, of the same two parents or on father's side	1/5 to mother, 4/5 to sisters equally between them
4m. 4l with husband or wife	3/13 to wife, 2/13 to mother, 8/13 to sisters equally between them. 3/7 to husband, 1/7 to mother, 3/7 to sisters equally between them
4n. mother with one brother on mother's side or one sister on mother's side	2/3 to mother, 1/3 to brother or sister
4o. 4n with husband or wife	1/4 to wife, 1/2 to mother, 1/4 to brother or sister 1/2 to husband, 1/3 to mother, 1/6 to brother or sister
4p. mother with more than one brother and/or sister on mother's side	1/3 to mother, 2/3 to brother(s) and sister(s), equally between them all
4q. 4p with husband or wife	1/4 to wife, 1/4 to mother, 1/2 to brother(s) and sister(s) equally between them all

Testator:

Witness 1:

Witness 2:

4r. mother with father of father, no brother(s), no sister(s)	1/2 to husband, 1/6 to mother, 1/3 to brother(s) and sister(s) equally between them all
4s. 4r. with husband or wife	4/3 to mother, the rest to father of father
4t. mother with son of brother, (the brother is of the same parents)	1/3 to mother, 1/4 to wife or 1/2 to husband, the rest to grandfather
4u. mother with children of brother(s), (the brother is of the same parents)	1/3 to mother, the rest to son of brother
4v. 4t or 4u with wife or husband	1/3 to mother, 1/4 to wife, or 1/2 to husband and the rest to son or children of brother(s) as in 4t or 4u
4w. mother with brother of father	1/3 to mother, the rest to brother of father the same two parents
4x mother with brother(s) of father and any number of sisters of father, all of the same two parents	1/3 to mother, the rest to children of brother(s) according to rules in 1a
4y. 4w and 4x with wife or husband	1/3 to mother, 1/4 to wife, or 1/2 to husband, the rest to brother of father or brother(s) and sister(s) of fathers as in 4x
4z father with mother of mother and of father	1/6 to mother of mother, the rest to father no mother
4aa. mother with brother(s) and father of father	1/6 to mother, the rest among brother(s) and father of father equally, unless grandfather's share goes below 1/3 (if it does, he gets 1/3 and the rest to brothers equally)
4bb. mother with father of father and brother(s) and any number of sister(s), all of the same two parents or on father's side	as in (4.aa) and apply rules of (1.a) for brother(s) and sister(s)

*Testator:*

*Witness 1:*

*Witness 2:*

**Schedule 5: HUSBAND OR WIFE, NO OFFSPRING, NO PARENTS, AND NO FATHER OF FATHER**

<b>Surviving Heirs</b>	<b>Share of the Remainder</b>
5a. wife only	1/4 to wife, the rest to _____
5b. husband only	1/2 to husband, the rest as in 5a
5c. husband and wife, with one brother or more and any number of sisters	1/2 to husband, or 1/4 to wife, the rest to brother(s) and sister(s) according to rules in 1a
5.d. husband or wife, with sister(s), no brothers	1/2 to husband or 1/4 to wife, the rest to the sister or equally between sisters
5e. husband or wife, with son or sons of brother(s), or son(s) and any number of daughters of brother(s)	As in 5c but niece(s) and nephew(s) replace sister(s) and brother(s)
5f. husband or wife! with brother(s) of father	1/2 to husband or 1/4 to wife and the rest to uncle or uncles equally between them
5g. husband, or wife, with one brother of father or more, and any number of sisters of father	1/2 to husband or 1/4 to wife, rest to uncle(s) and aunt(s) according to the rules in 4a

**Note: "If Testator's Case Is Under No. 1-5, But Not Found Above, the Executor Must Follow the Advice of the [name & address of your Masjid],"**

**Schedule 6: All other cases**

Relatives not mentioned in cases (1) through (5) must be disregarded. However, I direct and ordain that all cases not specifically mentioned in this schedule shall be referred to the [name & address of your Masjid]. Further, for any interpretation of any of the above cases or articles and provisions of the will, I ordain that the executor shall refer to [name & address of your Masjid].

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Testator:

Witness 1:

Witness 2: