

INSTRUCTIONS

Kindly confirm with a lawyer that the will is correctly filled in and executed. Each page, must be signed by the testator / testatrix and both witnesses.

[a] Insert your full name, surname and identity number.

[b] Insert your current home address.

[c] Insert your gender.

General instructions:

Please ensure that each page in this document is signed by the testator / testatrix, and witnesses. Signatures should be at the bottom of each page.

All additional information, changes and amendments should be initialled by the testator / testatrix, and witnesses.

Shariah Expert:

Once this document is completed, take it to a Shariah Expert to verify that it is Shariah Compliant.

SHARIAH WILL | LAST TESTAMENT

In the Name of Allah, the Most Compassionate,
the Most Merciful.

I, the undersigned,

[a] _____

of [b] _____

an adult [c] _____, being of sound mind,
hereby declare this to be my Last Will and
Testament and state the following:

1. I hereby cancel, revoke and annul all
previous Wills, Codicils or other Testamentary
writings or bequests made or executed by me.

2. I hereby record the following:

2.1. I am a Muslim and subscribe to the Principles
of Islam;

2.2. Therefore, at my death, it is of utmost
importance that my estate be wound up,
distributed, and administered as provided in terms
of Islamic Law.

2.3. Therefore, whatever Islam says should take
place at my death regarding my estate, being it
monies, assets, zakah, debts (religious or
otherwise) etc.; that must be given effect to.

2.4. Without departing from the generality of the
aforementioned clauses, if there are any religious
debts that should be paid by my estate, owing at

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my death, that should be attended to in terms of Islamic Law and all heirs of mine who should inherit in terms of Islamic law at my death should inherit.

2.5. Therefore, if any clause in this will, the effect of it would not be in terms of Islamic law, then I request that that clause not be given effect to, or be given effect to, to the extent allowed in terms of Islamic laws, still keeping with my wish that Islamic law shall not be tainted with.

2.6. It is, therefore, the duty and obligation of my executor and / or the person who winds up my estate to ensure that my affairs are dealt with as Islamic law prescribes. Therefore, by way of example, if my estate at my death has to pay a religious debt, then that debt should be paid as provided for in terms of Islamic law.

2.7. If there is a conflict between Islamic law of inheritance and that of South African law or the law of the land which applied when giving effect to this will, then I request that Islamic law prevails, and if this is not possible, then that Islamic law should be given effect to, to the highest level.

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d] Insert the full name, surname and identity number. If there is no spouse, scratch out the clause and you and your witnesses should initial next to it.

2.8.1 I am currently married to [d] _____, with identity number _____; and I have () amount of children born from me, and none other, namely:

[e] Insert name of child / children. Scratch out and add where applicable, and you and your witnesses should initial next to it.

2.8.1. [e] _____ ;

2.8.2. _____ ; and

2.8.3. _____ .

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3. I nominate and appoint [f]_____, as the executor of my estate at my death.

[f] Insert name of the executor.

4. I hereby direct that my entire estate be distributed according to the Islamic Laws of Inheritance as outlined above.

5. I hereby make the following bequeath, only on the condition that it is allowed in terms of Islamic Law:

[g] Very important: When making bequeaths, please confirm with a Shariah Expert that your specific bequeaths are allowed in Islamic Law.

5.1.[g]

5.1.1.

6. The aforementioned bequest is subject to it being allowed in terms of the Islamic Laws of Inheritance as stated.

7. If at the time of my death it is found that any specific bequest is not in accordance with the Islamic Laws of Inheritance, then I request that that specific bequeath not be given any force and effect, and as if not written herein.

[h] Insert the details of the Sheikh / Moulana / Islamic Organisation.

8. I nominate [h]_____ (Sheikh / Moulana/ Islamic Organisation), to be charged with the task of issuing a Certificate to be presented to the Master of the High Court in Affidavit form which shall set out *inter alia* the full names, ages and addresses of my lawful heirs at the time of my death and their respective shares, as provided for in Islamic Law, and whatever other relevant information, to give effect to all of the above clauses, and shall be accepted by the Master of the High Court for the purpose of distributing my Estate in accordance with the said Islamic Laws.

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9. I hereby further direct that my executors referred to above shall not be called upon to furnish any Security to the Master of the High Court of South Africa for the full and proper Administration of my Estate.

10. I lastly declare that I fully understand this document and that it contains my Last Will and Testament, desiring that it should have effect as such.

[l] Insert the place where you are signing this will.

[j] Insert the date.

[k] Testator / Testatrix signs here.

[l] Insert the first Witness's name.

[m] First Witness signs here.

[n] Insert the second Witness's name.

[o] Second Witness signs here.

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021 424 3487
www.ourlawyer.co.za

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IN WITNESS WHEREOF, I have hereunto set my hand at [l] _____, on this the day [j] _____, in the presence of the undersigned witnesses, who in my presence and in the presence of each other, have hereunto subscribed their names as witnesses.

: [k] _____

1. WITNESS NAME: [l] _____

Witness Signature: [m] _____

2. WITNESS NAME: [n] _____

Witness Signature: [o] _____