

Seminar on Islamic Will

How to make a simple Islamic Will

Jan 30th, 2021

Presented by:
WhatsApp Groups - (IslamicWill & GTA Professionals Network)

Welcome

Jazakallah o khair for joining

The Islamic Will/Al Wasiyah

الوصية
AL WASIYAH

It is not permissible for any Muslim who has something to will to stay for two nights without having his Will and Testament written and kept ready with him." *(Al-Bukhari)*

Quran Pak recitation for Baraka by our young Br.Mustafa

Respectfully hear the Qirat and be on MUTE

WhatsApp Group - Islamic Will (Haamed Pasha)

- Volunteer driven
- Non profit initiatives
- Promote Sunnah
- Platform for sharing knowledge
- Awareness, Motivate community
- Help community one to one
- Not a Lawyer Service

WhatsApp Group-GTA Professionals Network (Vaqaar Raees)

- Volunteer driven
- Non Profit initiatives
- Promote Professional's Network
- Platform for sharing knowledge
- Help community-Canadian/International

Importance of “Islamic Will” from Quran & Sunnah

Imam Ismail Ulghar

About Imam Ismail Ulghar



- Renowned scholar, Imam and social leader
- Head of Islamic affairs - Madinatul Uloom Academy
- Imam for Jummah Prayers - GTA masjid
- Founder - Bridge for Humanity www.bridgehumanity.com
- Teacher of Qirat-e-Sabah & Ijazat to teach the Ulemas
- Advisor to parliament on Interfaith religion
- Master in Islamic studies from Gujrat, India
- Honoured - Post Secondary Education in First Nations Technical College (FNTC)

Islamic Will - Quran & Sunnah

- It's your Religious Obligation to create a Islamic Will
- Emphasized by Prophet Muhammad (peac be upon him)
"It is not permissible for any Muslim who has something to will, to stay for two nights without having his last will and testament written and kept ready with him. "
- If no Islamic Will, then your estate would be distributed per rules of the land
- Islamic Will make estate distribution easier for any muslim family and removes all complications, as stated in:

..... (Al-Quran - Surah An-Nisa Ayat 11-12) *يُوصِيكُمُ اللَّهُ فِي أَوْلَادِكُمْ*

Islamic Will - Quran & Sunnah

كُتِبَ عَلَيْكُمْ إِذَا حَضَرَ أَحَدَكُمُ الْمَوْتُ إِنْ تَرَكَ خَيْرًا ۖ الْوَصِيَّةُ لِلْوَالِدَيْنِ وَالْأَقْرَبِينَ بِالْمَعْرُوفِ ۚ حَقًّا عَلَى
الْمُتَّقِينَ ۗ

- Prescribed for you when death approaches any one of you if he leaves wealth is that he should make a bequest for the parents and near relatives according to what is acceptable – a duty upon the righteous. {2:180}
- The Prophet (PBUH) refrained from offering the funeral prayer for someone who had died owing two dinars, until Abu Qatadah (a Sahabi) promised to pay it off for him. When he saw him the following day he said, “I have paid it off.” The Prophet said: “Now his skin has become cool for him.” (Hasan-Ahmad)

Walkthrough Writing Simple Will + Knowledge base

Br. Adnan Badar (Islamic Will Volunteer)

Knowledge Sharing Spirit

Disclaimer

- Sharing our limited findings
- It might take you longer time to explore everything yourself
- We simplify & advise economical ways to create Will
- We host events & publish material
- We are not lawyers, we don't promote specific lawyer
- We don't charge for our services
- Focus is to create basic Islamic Will
- Please consult with Ulemas & paid lawyers for your case-specific inquiries - we provide their contact information.

Knowledge base: Previous seminars' recordings, Templates, FAQs, list of paid lawyers, Ulemas etc.

https://drive.google.com/drive/folders/1-5LzDVEcFKUveakp85x_fLaWxDDYD9qu

Quick creation of Simple Will

Tips:

Create quickly - 48 hrs challenge

Keep evolving

You could always change - No cost

Don't over think / over engineer

Steps to create a "Simple Will"

1. Fill out a template available for free from the masjid websites for example: <https://windsorislamicassociation.com/about-us/islamic-will-testament/>

1. Think below names (reliable / trustworthy)

- a) 2 Witnesses (Ideally living in same city/country, **MUST NOT** be Heirs/WARIS)
- b) 2 Executors (person who will follow WILL instructions, Ideally living in same city/country, could also be your Heirs/WARIS)
- c) Minor children's guardians (Local & International if applicable)

1. Signed by Witnesses & yourself

2. Give signed copies to Executors, Heirs etc.

3. Done

Don't delay it, we never know if we will live until tomorrow -- at least have something & keep evolving it.

Not compulsory to have it Notarized by a lawyer -- but highly recommended

Sections of Will Document

MYTH - I don't have anything to Will / I am Poor

Never underestimate this, below items are things to be considered, Will provides guidelines to Heirs on the followings:

- Where to bury you
- Information about your Bank accounts, RRSP, RESP, lockers
- Property, other investments
- Your children's custody, who will take care of them when both the parents pass away (God forbid)
- Specific instructions, Advice to your Heirs
- Recurring payments, pre-authorized debits (e.g. bills, subscriptions, school fees). Your Heirs would not know for months and the organization would continue debiting your accounts

Islamic Will Templates from Canadian Masjids:

1. **Windsor Masjid** (Recommended, PDF with fillable Forms)

<https://windsorislamicassociation.com/about-us/islamic-will-testament/>

2. **Brampton Islamic Centre**

- a. <https://bsia.ca/Last%20Will.pdf>

- b. <https://bsia.ca/Last%20Will-Guide.pdf>

3. **SHAYKH YUSUF BADAT** (Founder of mathabah, Imam Nugget Masjid)

1. <https://www.mathabah.org/faculty/>

2. <https://www.mathabah.org/registering-an-islamic-will-in-canada/>

Who are my Heirs / Waris

Scenarios from Islamic Will - difficult to understand for common person.

Appendix A: Distribution of the Estate in Accordance to Islamic Laws of Inheritance

Schedule 1: One or more son, any number of daughters

Surviving Heirs	Share of the Remainder of My Estate
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.

You could consult with scholar / lawyer OR use the following calculators

<http://www.inheritancecalculator.net/>

ShariahStandards.org
Developing a global open standard interpretation of Islamic law in English

Prayer Times and Direction Zakat Calculator **Inheritance Calculator** Qurban About Us

Inheritance Calculator

Gender of the deceased:
 Male Female

Primary heirs
 Father: Mother: Sons: Daughters:

Were any of the sons and daughters dependent on the deceased?
 Yes No

Other heirs
 Wives: Brothers: Sisters:

Shares

Colour	Relationship	Share as percent	Share as a fraction
Dark Blue	son	18.05556 %	13 / 72
Blue	son	18.05556 %	13 / 72
Brown	father	16.66667 %	1 / 6
Orange	mother	16.66667 %	1 / 6
Purple	daughter	9.02778 %	13 / 144
Pink	daughter	9.02778 %	13 / 144
Light Green	wife	6.25000 %	1 / 16
Yellow-Green	wife	6.25000 %	1 / 16

- Useful Links
- Zakat Calculator
 - Download Qoran
 - Islamic Articles
 - Software & Apps
 - Islamic Lectures
 - Islamic Videos
 - Islamic Books

Knowledge base

✓ Islamic Wills Q&A - Shahzad Siddiqui & Sh. Yusuf Badat **(Recommended)**
<https://www.youtube.com/watch?v=ptgK4K9kvl8>

✓ Masjid Darul Iman -by Muezzin Qureshi **(Recommended)**
<https://youtu.be/zCUIRgcUKIM>

✓ Mufti Menk- Inheritance (The Final Rites) **(Recommended)**

<https://www.youtube.com/watch?v=v7xlfANdli0> (Part1)

<https://www.youtube.com/watch?v=HNxMgdiUY7M> (Part2)

<https://www.youtube.com/watch?v=OHGVuYnHp0I> (Part3)

https://www.youtube.com/watch?v=olYuSCsSC_4 (Part4)

✓ **Knowledge base**: Previous seminars recordings, Templates, FAQs, list of paid lawyers, Ulemas etc.

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Contact Scholars & Lawyers

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FB: <https://www.facebook.com/shaykh.yusuf/>

Frequently Asked Questions

by:

Malik Muhammad Suliman

Barrister & Solicitor

AMEER LAW

About Ameer Law

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Ameer Law was founded by Malik Muhammad Suliman, with the firm name dedicated as a tribute to his late father, a World War II veteran. In establishing his firm, Malik sought to provide effective and comprehensive legal representation in the areas of Real Estate, Family Law, and Wills and Estates. Client-satisfaction and reliability are the core values of his practice.

Our Services...

- Family Law
- Real Estate Law
- Wills and Estates

Importance of Will

- Why should I create a Will - especially in WEST?
- Who should create a Will?
 - Age requirements?
 - Will for special need/ minors in my family?
- Should whole family create a single Will or individual Will?
- Does “Islamic Will” recognized by Canadian Courts?
- What if I die without a Will?
- It cost a lot, does it really worth?
- Does Canadian Govt. takes my children's, assets in absence of Will?

Process of Will creation

- What's the process to create a Will?
- Who are the Will Testator, executors & witnesses?
 - How many executors & witnesses I need?
 - Shall executors & witnesses must be Canadian Residents / Citizens?
 - Do they must present in same city/ country or international ?
 - Can executors & witnesses be the same person?
 - Can my wife be an executors & witnesses?
- What decisions Executors could make?
- What if Will executors & witnesses not available, they also die?
- After creating a Will, do I need to submit it to Court (as record)?
- Can Will Executor do some corruption, take my estate? Who keeps check n balance?

Sections of Will

- How should I mention bank accounts, lockers etc.?
 - Shall I mention exact account balance
 - Cash in hand?
- What about RRSP, RESP, TFSA etc
- What about Mortgage loans, other loans etc
- What if I buy new property after Will creation?
- What if I open new bank accounts / investments after Will creation?
- What will happen to my international property & assets?

General Sections

- IDENTITY HEIRS
- FUNERAL AND BURIAL RITES
- EXECUTOR AND ADMINISTRATOR
- CUSTODY OF MINOR CHILDREN AND GUARDIANSHIP
- POWER of ATTORNEY
- ADDITIONAL INSTRUCTIONS AND DIRECTIVES
- CHARITABLE CONTRIBUTIONS AND TESTAMENTARY TRANSFER
- LOANS, AUTOMATIC WITHDRAWS
- PROPERTIES, BANK ACCOUNTS, BANK LOCKERS

Will Execution Process

- What's the Will execution process in Canada?
 - I am Will Executor, what steps I need to do?
- How much time it takes?
- Do I need to hire Lawyer for this?
- Could there be a dispute?
- Could Islamic Will be challenged / rejected by Court or Heirs?

Will Expiry & Renewal

- Does Will ever expires?
- When should I renew my Will?
 - Examples of must renewal: Marriage/ Divorse?
 - Examples of optional renewal: Bank account changes?
- Is Will renew & creation process different?
- Do I need to pay again to Lawyer on renewal?

Will Authenticity & Recognition

- How to make Will more authentic / recognizable by Court?
- Do I must have a Lawyer to create my Authentic Will?
- What is Will Notarization?
- Is Will valid in back home / other countries?

General Recommendations

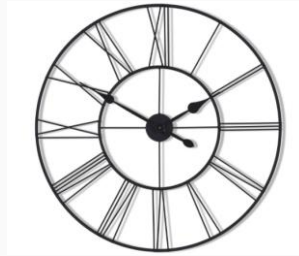
- Keep joint accounts with your spouse so that they could immediately run the kitchen
- Discuss your case specific situation with reliable Lawyer
- Consult with Islamic Scholar as needful

Takeaway:

Create a quick & basic Will
and keep improving

"It is not permissible for any Muslim who has something to will, to stay for two nights without having his last will and testament written and kept ready with him. "

Bukhari



48 hours Challenge

Join us

We need volunteers to promote our vision and motivate community

Join: <https://chat.whatsapp.com/Ecxykn1FMMGEJrWIZac7E1>

Recording of this program would be available in our Knowledge base google drive, link would be emailed/WhatsApp to all the participants

Thanks!

Contact any of our volunteers:

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Group Invite:
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