

LAST WILL AND TESTAMENT

I,
Father's name:
henceforth referred to in this document as (legal name):
..... - of the address of:
.....

being of sound mind and memory, do hereby revoke all previous Wills and Codicils by me made, and do make, ordain, publish and declare *this* to be my Last Will and Testament.

Article 1: Preamble

I bear witness that there is no Deity but Allah, the Merciful, Almighty God - Creator of the Heavens and the Earth and all therein - God of Ibrahim, Moussa, 'Issa, Muhammad and all the Prophets, Mercy and Peace be upon them all. I bear witness that HE is the ONE God and that HE has no partner and that Muhammad is HIS Messenger and the last of the Prophets, Mercy and Peace be upon them all. I bear witness that Allah is the Truth, that HIS Promise is the Truth and that the Meeting with HIM is the Truth. I believe in the Day of Judgment, and that there is no doubt about it, that Allah, Who is Exalted above all deficiency and imperfection, will surely resurrect the Dead of all generations of Mankind, first and last, and all those in between.

My council to my relatives, friends, my Muslim Brothers and Sisters and all who remain after me is the following: Strive to be true Muslims, submit to the will of your Creator -may HE be exalted - worship HIM as HE alone is to be worshipped, fear HIM as HE alone is to be feared and love HIM and HIS Prophet with a complete love that is rivalled by nothing. Obey HIM and hold fast to HIS Shari'ah, Spread and firmly establish HIS Religion of Islam and die only in a state of complete submission to HIS will.

I furthermore wish to remind them that no man and no woman dies before his/her time, and that the precise duration of each life-span is determined by the All-Powerful Creator - may HE be exalted - before his/her birth. Being Muslims they should keep in mind that death is tragic only for those who have lived out their lives in self-deception, without having submitted to the Will of their Creator and without being prepared for the final return to HIM. I therefore ask them not to be preoccupied because of my death but instead make proper preparations for their own.

Maintain patience and self-composure, as the religion of Islam requires. Islam permits relatives to mourn for no more than three days, although a widow is allowed to mourn for four lunar months and ten days, until her *iddah* (period of waiting) is completed.

Testator..... 1. Witness..... 2. Witness

1st page of my Last Will and Testament Date:

The Creator forbids wailing and excessive lamentation, and it reflects only a lack of understanding and dissatisfaction with the Will of the Creator, may He be exalted.

Finally, I request my relatives and friends and all other persons who may have to deal with this document - whether they believe as I believed or not - to grant me the Constitutional Right to these beliefs. I ask them to honour this document and neither obstruct its execution nor change it in any way. Rather, I expect them to make every effort to divide my property as expressed in it and to bury me the way I choose to be buried.

Article II - Funeral and Burial Rites

a) I ordain that no autopsy or embalming be done on my body unless required by law. I furthermore wish that my body - without justified delay - be washed, wrapped in cloth, without any ornaments, be prayed for and then be buried. All this must be done by Muslims and in complete accordance with the Religion of Islam.

b) I therefore nominate and appoint
of the following address
City of
to execute these orders for my proper Islamic funeral and burial. In the event that he/she be unwilling or unable to execute them, I nominate and appoint the Muslim Community of the area where I died to make these necessary provisions.

c) In the event of legal difficulties in the execution of this Article, I direct the above named person to seek counsel from the Islamic Information Service, PO Box 62125, Mt Wellington, Auckland 1130, NZ. Phone/Fax: 09-5794611

d) I ordain that absolutely no non-Islamic religious service or observance shall be conducted upon my death or on my body.

e) I ordain that no pictures, crescents or stars, decorations, crosses, flags, any symbols - Islamic or otherwise - or music shall be involved at any stage of the process of conducting my burial or ever be placed at the site of my grave.

f) I ordain that my body shall not be transported over any unreasonable distance from the locality of my death, particularly when such transportation would necessitate embalming, unless when long distance transportation is required to reach the nearest Muslim cemetery or any other cemetery selected by my Muslim family.

g) I ordain that my grave shall be dug deep into the ground in complete accordance with the specifications of Islamic practice and that it face the direction of Qiblah (the direction of the city of Mecca in the Arabian Peninsula, towards which Muslims face for prayer).

Testator..... 1. Witness..... 2. Witness

2nd page of my Last Will and Testament Date;

- h) I ordain that my body shall be buried without a casket or any encasement that separates the wrapped body from the surrounding soil. In the event that local laws require casket encasement, I ordain that such encasement be of the simplest, most modest, and least expensive type possible. I further ordain that the encasement be left open during burial and filled with dirt, unless prohibited by law.
- i) I ordain that my grave shall be level with the ground or slightly mounded, with no construction or permanent structure of any kind over it. The marking-if necessary-should be a simple rock or marker, merely to indicate the presence of the grave. There should be no inscriptions or symbols on the said marking.

Article III - Debts and Expenses

- a) I direct that all trust properties shall be returned to the rightful owners. I further direct that my executor, hereinafter named, apply first the assets of my estate to the payment -of all my legal debts including such expenses incurred by my last illness and burial, as well as the expenses for the administration of my estate.
- b) I direct that the amount of NZ\$..... (in words.....) be paid to my wife representing the portion of her dowry payment which had been delayed.
- c) I direct that any outstanding 'obligations to Allah' (Huquq-Allah) which are binding on me, be paid. These may include the following:
 1. *Unpaid Zakat* for the years 19..... to This amount should be calculated from my total estate according to the Shari'ah or I estimate it as NZ\$.....
 2. *Kaffarat* (atonements) for unperformed prayers, neglected fasting, alms giving etc. which I estimate to amount to NZ\$..... and which I direct to be paid to 'Islamic Information Service' or to
 3. *Unperformed Hajj* (Pilgrimage) I direct that a Muslim be sent to perform Hajj on my behalf. Only a brother/sister who has already performed his/her own Hajj is entitled to carry out this task. The expenses for the entire journey must be paid from my estate.
- d) I further direct that all inheritance, estate and succession taxes payable by reason of my death, be paid out of and charged to my residuary estate.

Testator..... 1. Witness..... 2. Witness

3rd page of my Last Will and Testament Date;

Article IV - Charitable Contributions and Testamentary Transfer

a) I direct that my executor pay the following contribution to the below named organizations and persons:

Islamic Information Service *Percent of remainder
of my estate after
the execution Of Article III*
PO Box 62125
Mt Wellington
Auckland 1130, NZ

1. General activities%
2. Burial of poor Muslims of New Zealand%
3. Establishment of orphanages and nursing homes for the aged%
4. Acquisition and maintenance of Mosques and Islamic Centres%
5. Sponsorship for Muslim students%
6. Funding Islamic Conferences, Research Work and Islamic Publications%
7. Establishment of Islamic Schools and libraries%
8. Charity Fund & Social work%
9. Other Organizations%
.....%
.....%
.....%
.....%
.....%
.....%
.....%
.....%
.....%
Subtotal%

Carrying over

<i>Other organisations:</i>%
.....%
.....%
.....%

<i>Persons:</i>%
.....%
.....%
.....%

Testator..... 1. Witness..... 2. Witness

4th page of my Last Will and Testament Date;

b) I further direct that my executor transfer the following in kind (real estate, car, books, tapes, records etc.) to the organizations and persons named below:

'Islamic Information Service' PO Box 62125, Mt Wellington,
Auckland 1130, NZ

.....%
.....%
.....%

Other Organisations:%
.....%
.....%

Persons:%
.....%
.....%

Total (not more than 33.33%)%

Article V - Distribution of Remainder

a) I direct, device and bequeath all residue and remainder of my estate, after the execution of Articles III and IV, to my Muslim heirs only, whose relationship to me, whether ascending or descending, has occurred through Islamic marriage at each and every point. This distribution must be carried out strictly in accordance with the schedule attached herewith (pages 15 to 24).

b) Should I die of murder, I direct that the adjudged murderer and his principle accomplice be excluded from all inheritance of my estate.

c) I further direct that no part of my estate be given to relatives whose relationship to me, whether ascending or descending, has occurred through non-Islamic or unlawful marriage, except the following:

1. Legatees specifically named in Article IV.
2. A person who is related to me through his or her biological mother.

d) I direct and device that any foetus conceived before my death, whose relationship to me would qualify it to be an heir of mine according to this article be considered as such if the child is born alive within a maximum of 354 days after my death. In such a case I direct and device that the procedure of distribution, after the execution of Articles III and IV, be delayed until the birth of the child.

Testator..... 1. Witness..... 2. Witness

5th page of my Last Will and Testament Date;

e) I further, bequeath the remainder of my estate, after the execution of Articles HI and IV and sections a. through e. of Article V, to the 'Islamic Information Service'. I further direct that any portion of my estate disclaimed or refused by any legatee named or referred to in this Last Will and Testament be also given to the 'Islamic Information Service'.

List of Heirs according to the Shari'ah

Male Heirs

1. Husband
2. Father
3. Son (s)
4. Grandfather (s)
5. Grandson (s) (son of a son)
6. Brother (s) from the same parents
7. Brother (s) from father's side only
8. Brother (s) from mother's side only
9. Father's brother (s) from the same grandparents
10. Father's brother(s) from father's side only
11. Son (s) of brother (s) from the same parents
12. Son (s) of brother (s) from father's side only
13. Son (s) of brother (s) of father from the same grandparents
14. Son (s) of brother (s) from mother's side only

Female heirs

15. Wife (ves)
16. Daughter (s)
17. Mother
18. Daughter (s) of son (s)
19. Mother of mother
20. Mother of father
21. Sister (s) from the same parents
22. Sister (s) from father only
23. Sister (s) from mother only

Testator..... 1. Witness..... 2. Witness

6th page of my Last Will and Testament Date;

List of Living Heirs

Degree of Relationship	Name	Address

Testator..... 1. Witness..... 2. Witness

7th page of my Last Will and Testament Date;

DISQUALIFICATION CHART

Heir	Disqualified by the presence of:									
Fa of Fa	Fa									
Mo of Mo	Mo									
So of So	So									
Mo of Fa	So	Mo								
Dt of So	So	So of So								
Br (P)	Fa	So	So of So							
Si (P)	Fa	So	So of So							
Br (F)	Fa	So	So of So	Br (P)	Si (P)					
Si (F)	Fa	So	So of So	Br (P)	Si (P)					
Br (M)	Fa	Grf	So	So of So	Dt	Dt of So				
Si (M)	Fa	Grf	So	So of So	Dt	Dt of So				
So of Br (P)	Fa	Grf	So	So of So	Br (P)	Br (P)	Si (P)	Si (F)		
So of Br (F)	Fa	Grf	So	So of So	Br (P)	Br (F)	Si (P)	Si (F)	So of Br (P)	
Br of Fa (P)	Fa	Grf	So	So of So	Br (P)	Br (F)	Si (P)	Si (F)	So of Br (P)	So of Br (F)
Br of Fa (F)	Fa	Grf	So	So of So	Br (P)	Br (F)	Si (P)	Si (F)	So of Br (P)	So of Br (F)
So of Br of Fa (P)	Fa	Grf	So	So of So	Br (P)	Br (F)	Si (P)	Si (F)	So of Br (P)	Br of Fa (P)
So of Br of Fa (F)	Fa	Grf	So	So of So	Br (P)	Br (F)	Si (P)	Si (F)	So of Br (P)	Br of Fa (F)

Legend

Fa = Father

Mo = Mother

Si = Sister(s)

Br = Brother(s)

Dt = Daughter(s)

So = Son(s)

Grf = Grandfather(s)

P = of the same parents

F = of father's side

M = of mother's side

Testator 1. Witness 2. Witness

8th page of my Last Will and Testament Date:

SCHEDULE A: **MAWARITH (THE ISLAMIC DISTRIBUTION OF THE ESTATE)**

I ordain and direct that this schedule be used as the only reference for distribution of the residue and remainder of my estate, referred to in Article V. This schedule is a part of my Last Will and Testament.

**CASE NO. 1:
ONE SON OR MORE AND ANY NO. OF DAUGHTERS**

Surviving Heirs	Share of the Remainder
I.a) with no other relatives	Sons and daughters of equal class get all the remainder. Each daughter gets half as much as a son.
1.b) with wife	1/8 to wife, the rest as in (1.a)
1.c) with husband	1/4 to husband, the rest as in (1.a)
1.d) with father and mother	1/6 to father and 1/6 to mother, the rest as in (1.a)
I.e) with one parent	1/6 to parent, the rest as in (1.a)
I.f) with any possible combination of (I.b), (I.c), (I.d), and (I.e)	spouse and parents take shares mentioned above, and the rest as in (1.a)
I.g) with father of father, no parents, no other grandparents	1/6 to father of father and the rest as in (1.a)
1.h) 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 (1.a)
I.i) (I.g) or (I.h) 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 (1.a)
I.j) (I.g) or (I.h) with 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 (1.a)
I.k) with father of father, and mother, no father	1/6 to mother, 1/6 to father of father, the rest as in (1.a)
1.1) (I.k) with wife	1/6 to mother, 1/6 to father of father, 1/8 to wife, and the rest as in (1.a)
1.m) (I.k) with husband	1/6 to mother, 1/6 to father of father, 1/8 to wife, and the rest as in (1.a)
I.n) with father and mother of mother (no mother)	1/6 to mother of mother, 1/6 to father, and the rest as in (1.a)

Testator 1
9th page of my Last Will and Testament

1.o) (l.n) with wife	1/6 to father, 1/6 to mother of mother, 1/8 to wife, and the rest as in (1.a)
1.p) (l.n) with husband	1/6 to father, 1/6 to mother of mother, 1/4 to husband, and the rest as in (1.a)
1.q) 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 (1.a)
1.r) (l.q) with wife	1/6 to mother of mother or mother of father, 1/8 to wife, the rest as in (1.a)
1.s) (l.q) with husband	1/6 to mother of mother or mother of father, 1/4 to husband, the rest as in (1.a)
1.t) (1.h), (l.n), or (1.q), 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 (1.a)
1.u) (l.t) with husband or wife	grandmothers share equally 1/6, father or grandfather 1/6, husband 1/4, or wife 1/8, the rest as in (1.a)

1.v) In each of (I.a) through (I.u), disregard all other relatives not mentioned in the relevant subcases.

IF TESTATOR'S CASE IS UNDER NO. (1), BUT NOT FOUND ABOVE, THE EXECUTOR MUST FOLLOW THE ADVICE OF THE ISLAMIC INFORMATION SERVICE.

**CASE NO. 2:
DAUGHTER OR DAUGHTERS; NO SONS**

Surviving Heirs	Share of the Remainder
2.a) with no other relatives	If one only, she takes all the remainder. If more than one, they equally share all the remainder.
2.b) with wife	1/8 to wife, the rest as in (2.a)

2.c) with husband	1/4 to husband, the rest as in (2.a)
2.d) with father	1/2 to the one daughter, 1/2 to father. If more than one, they share 2/3 equally and 1/3 to father.
2.e) with mother	1/4 to mother, 3/4 to daughter. If more than one, they share 4/5 equally and 1/5 to mother
2.f) with both parents	1/6 to mother, 1/3 to father, 1/2 to daughter. If more than one, 2/3 to daughters equally, 1/6 to mother, and 1/6 to father.
2.g) with wife and father	1/8 to wife, 1/2 to daughter, and 3/8 to father. If more than one, 2/3 to daughters equally, 1/8 to wife, and 5/24 to father
2.h) with wife and mother	1/8 to wife, 7/32 to mother, 21/32 to daughter. If more than one, 1/8 to wife, 7/40 to mother, and 7/10 to daughters equally.
2.i) 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.
2.j) with <i>husband and father</i>	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.
2.k) 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.
2.l) 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.
2.m) 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.

Testator

1. Witness

2. Witness

11th page of my Last Will and Testament

Date: _____

2.n) (2.m) with wife	As in (2.g), but father of father in place of father.
2.o) (2.m) with husband	As in (2.j), but father of father in place of father.
2.p) (2.m) with mother, or without mother but with either mother of father or mother of mother	As in (2.f), but father of father in place of father and grandmother in place of mother; the two grandmothers divide share of mother equally between themselves.
2.q) (2.p) with wife	As in (2.i), 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.
2.r) (2.p) with husband	As in (2.l) 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.
2.s) (2.p), (2.q), (2.r) 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 (2.p), (2.q), and (2.r); the rest as in (2.p), (2.q), and (2.r) respectively.
2.t) 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.
2.u) with more than one son of son(s) and any number of daughters of son(s)	As in (2.t), but the share of son of son is divided among son of son(s) and daughters of son(s) according to rules stated in (1.a).
2.v) (2.t) or (2.u) 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 (2.u). 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 (2.t) or (2.u).

 Testator 1. Witness 2. Witness
 12th page of my Last Will and Testament Date:

2.w) (2.v) with both parents	1/2 to daughter, 1/8 to wife, 1/6 to mother, 1/6 to father, and 1/24 to grandchildren as in (2.t) or (2.u). 6/13 to daughter, 3/13 to husband, 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 father, nothing to grandchildren. 8/15 to daughters, 3/15 to husband and 2/15 to mother, 2/15 to father, nothing to grandchildren.
2.x) (2.v) with one parent	1/2 to daughter, 1/8 to wife, 1/6 to parent, and 5/24 to children of son(s) as in (2.t) and (2.u); or, 1/2 to daughter, 1/4 to husband, 1/6 to parent, and 1/12 to children of son(s) as in (2.t) and (2.u). 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 (2.t) and (2.u); or, 8/13 to daughters, 2/13 to parent and 3/13 to husband, nothing to grandchildren.
2.y) (2.v) 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.	As in (2.w), but replace father of father for father and grandmother(s) for mother. Share of grandmothers is divided equally between them.
2.z) with daughters of son(s) and no sons of sons	3/4 to the daughter and 1/4 to daughter(s) of son(s), equally between them. If more than one daughter; all to daughters, nothing to daughter(s) of son(s).
2.aa) with sister(s) of same parents (no brothers), or with brother(s) of the same two parents (no sisters)	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).

Testator

1. Witness

2 Witness

13th page of my Last Will and Testament

2.bb) with sister(s) and brother(s) of the same two parents	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, 1/3 to sister(s) and brother(s) on same basis.
2.cc) (2.aa) or (2.bb) with wife or husband	1/2 to daughter, 1/8 to wife and 3/8 to sister(s) and/or brother(s) as in (2.aa) and (2.bb). 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 wife, the rest to sister(s) and/or brother(s) as in (2.aa) or (2.bb) respectively.
2.dd) 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.
2.ee) with one grandmother, either side, or both grandmothers	5/6 to daughter and 1/6 to grandmother or grandmothers, equally between them. If more than one daughter, 5/6 to daughters and 1/6 to grandmother(s).

IF THE TESTATOR'S CASE IS UNDER NO. 2 BUT NOT FOUND ABOVE, THE EXECUTOR MUST FOLLOW THE ADVICE OF THE ISLAMIC INFORMATION SERVICE.

**CASE NO. 3:
CHILDREN OF SON(S), NO SONS, NO DAUGHTERS**

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).

Testator 1. Witness 2. Witness
14th page of my Last Will and Testament Date:

CASE NO. 4:
PARENT(S) AND NO OFFSPRING

Surviving Heirs	Share of the Remainder
4.a) father alone; or father and brother(s) and/or sister(s)	all the remainder to father alone, nothing to brother(s) and sister(s)
4.b) father and wife or husband	1/4 to wife, or 1/2 to husband, and the rest to father
4.c) father and mother, no brothers, no sisters	1/3 to mother, the rest to father.
4.d) (4.c) with husband or wife 1/2 to husband, 1/6 to mother, the rest to father.	1/4 to wife, 1/4 to mother, the rest to father.
4.e) 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.
4.f) mother only	she takes all the remainder
4.g) mother and husband or wife	1/4 to wife, or 1/2 to husband, and the rest to mother
4.h) 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
4.i) (4.h) 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.
4.j) 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 (1.a).
4.k) (4.j) 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 (1.a)
4.1) 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

 Testator 1. Witness 2. Witness
 15th page of my Last Will and Testament Date:

4.m) (4.1) 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
4.n) 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
4.o) (4.n) 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.
4.p) 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.
4.q) (4.p) with husband or wife	1/4 to wife, 1/4 to mother, 1/2 to brother(s) and sister(s) equally between them all. 1/2 to husband, 1/6 to mother, 1/3 to brother(s) and sister(s) equally between them all.
4.r) mother with father of father, no brother(s), no sister(s)	1/3 to mother, the rest to father of father
4.s) (4.r) with husband or wife	1/3 to mother, 1/4 to wife or 1/2 to husband, the rest to grandfather
4.t) mother with son of brother, (the brother is of the same parents)	1/3 to mother, the rest to son of brother
4.u) mother with children of brother(s), (the brother is of the same parents)	1/3 to mother, the rest to children of brother(s) according to rules in (1.a)
4.v) (4.t) or (4.u) 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 (4.t) or (4.u)
4.w) mother with brother of father of	1/3 to mother, the rest to brother of father the same two parents
4.x) mother with brother(s) of father and number of sisters of father, all of the same two parents	1/3 to mother, the rest to brother(s) and any sister(s) of father according to rules in (1.a)
4.y) (4.w) and (4.x) 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 (4.x)

Testator

1. Witness

2. Witness

16th page of my Last Will and Testament

Date:

4.z) father with mother of mother and	1/6 to mother of mother, the rest to father no mother
4.aa) 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)
4.bb) 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)

NOTE: IF THE TESTATOR'S CASE IS UNDER NO. 4 BUT NOT COVERED ABOVE, THE EXECUTOR MUST FOLLOW THE ADVICE OF THE ISLAMIC INFORMATION SERVICE.

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

Surviving Heirs	Share of the Remainder
5.a) wife only	1/4 to wife, the rest to the Islamic Information Service, to be used as a Waqf whose net return only should be used for IIS activities.
5.b) husband only	1/2 to husband, the rest as in (5.a)
5.c) 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 (1.a)
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
5.e) husband or wife, with son or sons of brother(s), or son(s) and any number of daughters of brother(s)	As in (5.c) but niece(s) and nephew(s) replaces sister(s) and brother(s)
5.f) 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
5.g) 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 (1.a)

Testator

1. Witness

2. Witness

17th page of my Last Will and Testament

NOTE: IF THE TESTATOR'S CASE IS UNDER NO.5 BUT NOT COVERED ABOVE, THE EXECUTOR MUST FOLLOW THE ADVICE OF THE ISLAMIC INFORMATION SERVICE.

**CASE NO. 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 Islamic Information Service (IIS), for distribution of estate.

Article VI - Executor & Guardian

a. Appointment of Executor.

I hereby nominate and appoint

of the address of

City of

to be the executor of this, my Last Will and Testament.

In the event that he shall be unwilling or unable to act as my executor, I nominate and appoint

of the address of

City of

to be the executor of my Will.

I give my executor herein named, power to settle any claim for or against my estate and to sell property, real, personal or mixed, without court order and without bond. However, after my death he must obtain permission from the Supreme Court to do as the Will instructs.

b. Appointment of Guardian

I hereby nominate and appoint

of the address of

City of

to be the guardian of my minor children and their estates after my death assuming that he is a person of integrity. The guardianship is to end when they reach maturity. In the event that be unwilling or unable to act as guardian, I nominate and appoint

of the address o

City of

to be the guardian.

Testator..... 1. Witness..... 2. Witness

19th page of my Last Will and Testament Date;

Article VII - Separability

I direct and ordain 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.

In witness whereof I have hereunto set my signature
this day of of the year

.....
(legal name)

.....
(Muslim name)

WE HEREBY CERTIFY that the foregoing instrument was on the date thereof signed,
published and declared by the Testator,

as and for his Last Will and Testament, in our presence, who at his request and in his presence, and in the presence of each other, have hereunto subscribed our names as witnesses thereto, believing said Testator at the time of so signing to be found of sound mind and memory.

1. Name:
Signature of first witness Address:
.....
.....

Telephone:

2. Name:
Signature of first witness Address:
.....
.....

Telephone:

From this document copies have been made copy(ies) are with me the Testator, one (1) is with the executor and one (1) is deposited with *Islamic Information Service. P. O. Box 62125, Mt Wellington, Auckland 1130, NZ.*

Testator 1. Witness 2. Witness

20th page of my Last Will and Testament Date;