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| **C:\Users\abbasm\Desktop\inside_header2.jpg** | **Recommendation for  making’ Will’ &**  **1/3 rd wealth distribution after death - Appointment of Wasi**. |

It is **highly recommended to make a will** & keep it at a place known to his/her close family members

The Holy Prophet (saws) says that *a person who makes a good ‘Will’, dies the death of a martyr*.

The rules for inheritance are fixed by Shariah & distribution is to be done accordingly .There is no need to appoint a Wasi (executor of will) to distribute the inheritance only between the inheritors.

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The Islamic rules for Inheritance permit a **maximum of 1/3rd of the wealth** **to be used** **as per the will** of the deceased, provided such a specific will was made.

It is beneficial and recommended that a person makes a ‘will’ & stipulates in it, amongst other things, that 1/3 **rd** of wealth left behind is to be used ‘for good causes’ so that the benefit from it, will come to him/her after death.  
The **calculation of 1/3 rd** will be on; i) Wealth at the time of death & not at time when will is made, ii) After deducting wajib dues like khums & loan repayment (*if applicable as per detail rules)* & iii) On Total Wealth (after ii) .However a person may specify particular assets for this calculation (*say for example include only Bank Balance & Jewelry)* .Alternatively person can specifically exclude certain assets *(for example exclude a house which the family lives in, and is difficult to break up/sell .)*

This allocation of 1/3 has to be specifically mentioned (orally or in writing as a will/wasiyat) AND  
**a Wasi is to be appointed for its execution.**  
It is recommended that the will is in writing (though it can be verbal) & has 2 witnesses.  
In case there is such a will and **no Wasi was appointed**, then the persons (including inheritors), distributing this 1/3 **rd** wealth should take permission from ‘Hakim Shar’ ie authorized representative of persons Marja before doing so.

In case the wealth includes Businesses or indivisible Assets which cannot be liquidated, an individual can consider transferring ownership during lifetime to a trust / organization. The beneficial ownership, of this trust/Organisation can be ; 2/3 the inheritors as per sharia & 1/3 for specified causes. The management of this trust /organization can also be predefined as required.  
  
*More at http://www.islamic-laws.com/Inheritance.htm*