



## SETTING UP AN ISLAMIC TRUST (WAQF)

### WHAT IS A WAQF

Waqf (Arabic for endowment) is a special kind of philanthropic deed in perpetuity. It involves donating a fixed asset which can produce a financial return or provide a benefit

When Muslim a person who is working for a charitable purpose under religious faith and sentiments and for the benefit and upliftment of the society, has donated his property in the name Of Allah, it is called Waqf.

Waqf (Arabic for endowment) is a special kind of philanthropic deed in perpetuity. It involves donating a fixed asset which can produce a financial return or provide a benefit.

### WHAT ARE THE CONDITIONS FOR A VALID WAQF?

- **Permanent dedication:**

The dedication of Waqf property must be permanent and Waqif (Testator) himself must devote such property and give it for any purpose recognized by Muslim law, like religious, pious, or charitable. If the Waqf is made for a limited period it won't be a valid wakf and there should be no condition or contingency attached otherwise it Will become invalid. The motive behind Waqf is always religious.

- **Competency of the Waqif:**

The Waqif must be a competent person at the time of dedicating the property in Waqf. For being a competent Waqif, a person must possess the capacity, as well as the right to constitute the Waqf.

- **Right to make Waqf:**

A person having the capacity, but no right cannot constitute a valid Waqf. The subject matter of wakf should be owned by Waqif at the time when Waqf is made. Whether a person has the right to constitute a Waqf or not depends on the fact whether the dedicator has a legal right to transfer the ownership of the property or not.

### WHAT ARE THE VALID OBJECTS OF A WAQF?

An essential for the validity of Waqf is that the dedication should be for a purpose recognized as religious, pious or charitable, under Muslim Law.

Certain Objects which had been declared to be valid objects Of waqf are:

- Mosque and provisions for Imams to conduct worship.
- Reading the Koran in public places and also at private houses.
- Maintenance of poor relations and dependent.
- Grant to the college and provisions for professors to teach in colleges.
- Distribution of alms of poor persons, and assistance to the poor to enable them to perform pilgrimage to Mecca.

If you need further clarifications on this, please reach out to us  
[contact@fiduciaryservicesltd.com](mailto:contact@fiduciaryservicesltd.com)

