



جامعة السلطان الشريف علي الإسلامية
UNIVERSITI ISLAM SULTAN SHARIF ALI
SULTAN SHARIF ALI ISLAMIC UNIVERSITY

Faculty of Shariah and Law
Semester II, 2014/2015 Academic Session

Final Examination Question Paper

Course Code : LS 2303

Course Name : Fiqh al-Wasiyyah wa al-Waqf wa al-Hibah

**Course Level : Bachelor of Laws (LL.B) & Bachelor of
Shariah Law (BSL)**

Time : 3 hours

Notes:

1. This question paper consists of two (2) parts.
2. Answer any two (2) questions from part one.
3. Answer all questions from part two.

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PART ONE

Answer TWO (2) of the following questions

QUESTION 1

Discuss the characteristics of *waqf* assets

(10 marks)

QUESTION 2

Elaborate the similarities and dissimilarities between *waqf* and *wasiyyah*.

(10 marks)

QUESTION 3

What are the requirements of *mawquf* (asset)? Support your answer with examples.

(10 marks)

PART TWO

QUESTION 1

Mr. Mohamad Ali made a *wasiyyah* in the form of an apartment to his poor neighbour Mr. Ahmad. Ahmad, who is a father of four children, expressed his acceptance at the time of making that *wasiyyah*. When Mr. Mohamad Ali passed away, Mr. Ahmad, who went fishing two weeks ago, was not around to take the property. After few weeks his children received confirmation that he was drowned. Based on that news, they decided to claim that apartment.

(a) Advise the children of Mr. Ahmad and support your answer with relevant authorities.

(10 marks)

(b) How would you solve any dispute that may arise between the heirs of Mr. Mohamad Ali and the children of Mr. Ahmad and support your answer with relevant authorities.

(10 marks)

QUESTION 2

Mr. Sulaiman interred into an agreement with a developer to buy three units of a building under construction. He promised his cousin Nawawi to give him one unit as a gift. Upon completion, Mr. Nawawi got the apartment keys from Mr. Sulaiman. Unfortunately, shortly after that, both Mr. Sulaiman and Mr. Nawawi were involved in an accident, and both of them passed away. The heirs of Mr. Sulaiman put the three units for sale and the return to be distributed among them as part of the estate left by Mr. Sulaiman.

(a) Advise the children of Mr. Nawawi and support your answer with relevant authorities.

(10 marks)

(b) How would you solve any dispute that may arise between the children of Mr. Nawawi and the heirs of Mr. Sulaiman and support your answer with relevant authorities.

(10 marks)

بالتوفيق والنجاح