



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

**Faculty of Shariah and Law**  
**Semester III, 2021/2022 Academic Session**

**Final Examination Question Paper**

**Course Code : LS2303**

**Course Name : Fiqh of Will, Endowment and Donations**

**Course Level : Bachelor's Degree**

**Time : 3 hours**

**Notes:**

Answer any **four** of the following questions.

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

**QUESTION 1 (15 MARKS)**

- (a) What is the conceptual meaning of *Wasayyah* in Islam? (5 Marks)
- (b) Briefly explain *Waqf Sahih* (Sound Waqf) and *Waqf Ghair Sahih* (Unsound Waqf). (5 Marks)
- (c) Can *Hibah* (gift) be revoked? Support your answer with Shariah provisions. (5 Marks)

**QUESTION 2 (15 MARKS)**

- (a) Briefly explain the classification of Waqf Property Subject to the Beneficiaries (*al-Mawquf 'Alaihim*). (9 Marks)
- (b) Briefly explain the legality of gift (*hibah*) from Shariah sources. (6 Marks)

**QUESTION 3 (15 MARKS)**

Analyse the following cases:

- (a) Abdullahi made a gift (*hibah*) of his share of an undivided land to Abdurrahman. (5 Marks)
- (b) Sa'eed made a gift of a car to Salis by using the phrase 'this car is for you for my age'. Salis used the car for two months before Abdul passed away. Abdul's children argued that the gift was void as the expression 'this car is for you for my age' does not reflect a valid gift contract. (5 Marks)

(c) Abdul made a gift of a car to Sadis. However, Sadis travelled before the car comes under his possession and on his way, he got an accident that led to his death. Sadi's children came to Abdul to collect the car to include it in estate for inheritance distribution. (5 Marks)

**QUESTION 4 (15 MARKS)**

Musa made a *Wasiyyah* that after his death  $\frac{1}{2}$  of his wealth is to be given to his adopted son Ahmad and another  $\frac{1}{6}$  to be given to his son Jafar. Musa died leaving behind a wife, father, mother, two sons and two daughters. With reference to Shariah provisions, analyse this case.

**QUESTION 5 (15 MARKS)**

Usman built a Mosque and at the same time donated a land adjacent to the Mosque as *waqf*. The land is being rented for a daily market to customers, and the profit obtained is used for the maintenance of the Mosque. However, due to the strategic location of the land, the trustee decided to sell a part of it to build a shopping mall on the remaining which is expected to produce more profit than the original land. Decide this case based on Shariah provisions.