

# Law No. 8 of 1996 with respect to Endowment (Waqf) 8/1996 8 / 1996

Number of Articles: 31

Stars icon indicate that some articles are amended

## Table of Content

Articles (1-30)

We, Hamad bin Khalifa Al-Thani, Emir of the State of Qatar,  
Having perused the Amended Provisional Constitution, in particular Articles 23, 34 and 51 thereof,  
Law No. 10 of 1987 on the public and private property of the state, as amended by Law No. 12 of 1994,  
Law No. 9 of 1993 organising the Ministry of Awqaf and Islamic Affairs, and specifying its functions,  
The proposal of the Minister of Awqaf and Islamic Affairs,  
The bill submitted by the Council of Ministers,  
After taking the opinion of the Shura Council,  
Hereby promulgate the following:

## Articles

Article 1 Cancelled (Repealed By Decree 35/2006)

### Article 2

Endowment is the dedication of a specific property from which benefit may be taken, with the preservation of the actual property , for a permissible purpose recognized in Shariah.

Article 3 (Amended By Decree 38/2004)

The types of Endowment are as follows:

- 1 - Charitable Endowment is that in which the benefits are dedicated to a charitable cause at the outset.
- 2 - Family Endowment is that in which the endowment is for the actual endower, his progeny, or both, or to any other person or persons, their progeny, or all of them, with the provision that it will terminate in all cases with a specific charitable cause.
- 3 - Joint Endowment is that in which the benefits are dedicated to both a charitable cause and a family.
- 4 - Bequest of a charitable, family or joint endowment.
- 5 - Bequest of acts of kindness and charity.

### Article 4

1 - An endowment of any property , whether moveable or immoveable, including stocks and bonds, and all securities that accept endowment, may be made if those property s are utilized in a manner permissible in Shariah. Endowment of cash for giving of loans, or to deposit in an investment account in Islamic banks and to spend the profit on the endowment avenues, may also be made.

2 - Endowment of an encumbered property may not be made.

Article 5

It is a requirement that the form of endowment indicates a perpetuity.

Article 6

The endowment shall be created in writing and may also be by means of words and deeds that signify the same. The endowment in writing shall not be valid unless accompanied by that which gives the meaning of endowment.

The endowment shall be established by all the means of establishment recognized by Shariah.

Article 7 (Amended By Decree 38/2004)

The Endowment shall have a legal personality from inception, and shall enjoy the rights and duties of a legal person in accordance with the Law.

Article 8

It is a requirement for the validity and effect of the endowment that the endower be eligible to donate, in that he is a rational adult of sound mind who owns the endowed property .

Article 9

The stipulation of the endower shall be interpreted as a text of the Lawgiver in understanding and significance. The Shariah Court, when required, may interpret the stipulations of the endower in line with its significance.

Article 10

If the endowment contains a stipulation that violates the Shariah, or requires disruption of the benefit of the endowment, or causes the benefit of those for whom the endowment was made to be lost, the endowment shall be valid and the stipulation shall be void.

Article 11

The endowment shall be void in the following two instances:

- 1 - Entitlement of the endowed property prior to the endowment.
- 2 - The endower's property s being encompassed by debt prior to the endowment, unless allowed by the creditors.

Article 12

maintenance and care of the endowment. He is the Shariah representative of the endowment in front of third parties.

Article 13 (Amended By Decree 35/2006) (Amended By Decree 38/2004)

endower does not stipulate a supervisor, or the supervisor appointed by him passes away, or the testator of an endowment or deeds of kindness and charity, passes away without stipulating who will take charge of the bequest, or his appointed executor passes away, or it is established that the endowment or bequest is disputed, the supervision or guardianship shall be given to the Qatar Endowment Authority.

Article 14 (Amended By Decree 35/2006) (Amended By Decree 38/2004)

The Qatar Endowment Authority shall have the right of general supervision over all endowments, bequests of endowment and deeds of kindness and charity, and all the actions of the appointed supervisor or executor. It may object to any of his actions that are not warranted. It may refer the matter to the relevant court if it is found that he is engaged in actions harmful to the endowment, requiring the addition of a secretary or his dismissal.

Article 15 Cancelled (Repealed By Decree 35/2006)

Article 16 (Amended By Decree 35/2006)

Where the endowed property is a common share jointly owned by the endower and one or more other owners, or between two or more endowments, distribution between the endower and his partners may be made with the permission of the competent court.

Article 17

Mosques, inclusive of the land and building, whoever the party that constructed them, shall be deemed to be endowments for God Most High when opened to the public and prayers are held therein. The same provision shall apply to facilities dedicated to the service of mosques.

Article 18

Where a mosque is erected on land owned by a third party, with the explicit or implicit consent of the owner, and is opened to the public, the land necessarily becomes an endowment.

## Article 19

The lands allocated by the State for Eid prayers and burial of the deceased shall be deemed as an endowment to God Most High. The Shariah provisions of endowment shall apply to them.

## Article 20

The transfer and replacement of a mosque, and the sale of its open area, shall not be permitted unless it is no longer of any use.

## Article 21

Subject to the provisions of the previous article, an endowment may be replaced by a similar property if the endower stipulated the same for himself or others, or the endowment becomes totally useless, or it cannot fulfil its expenses, or ownership of it is removed for public benefit.

## Article 22

If the endowment is ruined, or is no longer able to generate income, or is land that has no yield and there are no endowment proceeds to develop it, it is permissible for the supervisor of the endowment to authorize a person to develop it from his own funds, by building or planting, with the provision that the building or plantation shall be the property of the one who built or planted it. He may dispose of the same as an owner, and it shall be inherited from him, provided that a rental for the beneficiaries is fixed in consideration for the land.

## Article 23 (Amended By Decree 35/2006)

The supervisor of the endowment may only authorize its development after approval of the competent court.

## Article 24

Authorization to develop the endowment may not be given for a period exceeding thirty years. This may be extended to other similar periods. The right of the developer of the endowment shall terminate on the date specified with the provision that he shall be compensated for the building or plantation within the limits of his expense.

## Article 25

The developer of the endowment must adopt all the means necessary to make the land usable, taking into account the agreed upon stipulations, nature of the land and the purpose for which it was prepared.

Article 26

The developer of the endowment must discharge the rental agreed in a timely manner to the supervisor of the endowment for disbursement to the endowment avenues.

Article 26 - BIS (Added By: Decree 35 / 2006)

The amounts owed to the Authority, under this law, shall have the right to a lien on all the debtor's property s, after judicial expenses and the debt of alimony. The Authority shall have the right to seize the same in accordance with the regulations for collection of government funds in effect. They may, in whole or in part, be divided into instalments in accordance with the conditions and controls established by a resolution of the Board of Directors of the Authority.

Article 27 Cancelled (Repealed By Decree 35/2006)

Article 28 (Amended By Decree 35/2006)

Subject to the provisions of the Customs Law promulgated by Law No. 40 of 2002, endowments shall be exempt from all fees and taxes. The endowment shall also be exempt from any fees related to the certification or registration of the endowment.  
The claims filed by the Authority in accordance with the provisions of this Law shall also be exempt from judicial fees.

Article 29 (Amended By Decree 35/2006)

The Cabinet shall issue the bylaws and resolutions necessary for the implementation of the provisions of this Law, including the regulation of the management of endowments covered by the supervision of the Authority, the development of its yield, the disposal thereof and all other affairs not inconsistent with the provisions of this Law.

Article 30

All competent authorities, each within their competence, shall execute this law which shall come into force from the date of its publication in the *Official Gazette*.