

THE RELIGIOUS COUNCIL AND  
KATHIS COURTS ENACTMENT, 1955

The Religious Council and Kathis Courts  
(Wakaf of Mosque Sites), Rules, 1974

In exercise of the powers conferred by Section 202 of the Religious Council and Kathis Courts Enactment, 1955, His Highness the Sultan in Religious Council has made the following rules :

1. These rules may be cited as the Religious Council and Kathis Courts (Wakaf of Mosque Sites) Rules, 1974, and shall be deemed to have come into force on 1st January, 1974. Citation.
  
2. Any person who intends to dedicate his land for the purpose of a mosque site (hereinafter referred to as the person concerned) shall personally inform a Kathi of his intention. Intention to dedicate land.
  
3. The Kathi shall investigate the position and suitability of the land for such purpose, and shall make a report to the Majlis Ugama Islam (hereinafter referred to as the Majlis). Kathi to investigate and report to Majlis.
  
4. (1) The Majlis shall, after considering the report of the Kathi, and having carried out such further investigation as it considers necessary, determine whether or not the land is suitable for such purpose. Declaration by the person concerned.
  
- (2) If the Majlis considers that the land is suitable, the person concerned shall be required to make declaration in the form in the Schedule.
  
- (3) Where the land is considered to be unsuitable, or for any other reasons it is considered that the intended dedication of the land is undesirable, the Majlis shall notify the person concerned, who may

nevertheless, if he so insists, make a declaration in the form in the Schedule.

5. A declaration made under paragraph 4 shall together with the recommendations, if any, of the Majlis be submitted to His Highness the Sultan, who may at his discretion sanction and validate the same in writing. Power of the Sultan to validate declaration.

6. The Majlis shall cause to be registered in its name under the Land Code any land which is subject of the dedication so sanctioned and validated. Registration under the Land Code.

Made this 3rd day of September, 1973.

IBRAHIM HAJI MOHD. TINGGAL,  
*Secretary,*  
*Majlis Ugama Islam.*

**SCHEDULE**

(Paragraph 4)

DECLARATION OF WAKAF OF LAND

- (1) Name of person creating the wakaf :
- (2) Age :
- (3) N.R.I.C. No. and Colour :
- (4) Place of Birth :
- (5) Date of Birth :
- (6) Address :
- (7) Land to be dedicated :  
     Coloured red in the copy of the land grant EDR.  
     ..... at .....  
     Brunei owned by .....
- (8) Area of land to be dedicated ..... acre(s).

Declaration of wakaf :

(Note : It shall be declared by the person bequeating in the presence of witnesses and Kathi).

IN THE NAME OF GOD,  
THE COMPASSIONATE AND THE MERCIFUL

I do hereby solemnly and sincerely and entirely because of God to whom be praised and whose name be exalted, of my own free will and without compulsion by any person or any party, and in the presence of Kathi of ..... District and two witnesses :—

(1)

(2)

dedicate my land in perpetuity, that part coloured red in the copy of land grant EDR ..... situated at ..... Brunei attached herewith comprising of ..... acre (s) as a site for ..... mosque/Surau.

With this declaration the land that I dedicate is hereby vested in the Religious Council of the State as its Nadzir with effect from this ..... day of ..... 197 , time ..... a.m./p.m. for ever and shall not be sold, disposed of, mortgaged or charged hereafter by any person or any party.

(9) I herewith attach my original land grant EDR ..... for action by the authorities concerned.

(10) I who dedicate the land :  
Name : ..... Signature : .....

(11) In the presence of :—

(1) Name : .....  
N.R.I.C. No. and Colour : .....  
Address : .....

(2) Name : .....  
N.R.I.C. No. and Colour : .....  
Address : .....

(12) In the presence of Kathi ..... District.  
Name of Kathi .....  
(The Said) ..... declared the above wakaf in the presence of two witnesses and I heard all the declaration of his wakaf to my satisfaction.

Signature : .....

Seal of Kathi : .....

Made this ..... day of ....., 197  
..... a.m./p.m. at the Religious Office  
..... District.