

**RELIGIOUS COUNCIL AND KADIS COURTS ACT
(CHAPTER 77)**

**RELIGIOUS COUNCIL AND KADIS COURTS
(WAKAF OF MOSQUE SITES) RULES**

S 122/1974

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SUBSIDIARY LEGISLATION

**RELIGIOUS COUNCIL AND KADIS COURTS
(WAKAF OF MOSQUE SITES) RULES**

ARRANGEMENT OF RULES

Rule

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SCHEDULE — DECLARATION OF WAKAF OF LAND

SUBSIDIARY LEGISLATION

Rules made under section 203

**RELIGIOUS COUNCIL AND KADIS COURTS
(WAKAF OF MOSQUE SITES) RULES**

Commencement: 1st January 1974

Citation

1. These Rules may be cited as the Religious Council and Kadis Courts (Wakaf of Mosque Sites) Rules.

Intention to dedicate land

2. Any person who intends to dedicate his land for the purpose of a mosque site (in these Rules referred to as the person concerned) shall personally inform a Kadi of his intention.

Kadi to investigate and report to Majlis

3. The Kadi shall investigate the position and suitability of the land for such purpose, and shall make a report to the Majlis.

Declaration by person concerned

4. (1) The Majlis shall, after considering the report of the Kadi, and having carried out such further investigation as it considers necessary, determine whether or not the land is suitable for such purpose.

(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.

[Subsidiary]

Power of His Majesty the Sultan and Yang Di-Pertuan to validate declaration

5. A declaration made under rule 4 shall together with the recommendations, if any, of the Majlis be submitted to His Majesty the Sultan and Yang Di-Pertuan, who may at his discretion sanction and validate the same in writing.

Registration under Land Code (Chapter 40)

6. The Majlis shall cause to be registered in its name under the Land Code (Chapter 40) any land which is subject of the dedication so sanctioned and validated.

SCHEDULE

(rule 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 Darussalam owned by
- (8) Area of land to be dedicated acre(s).

Declaration of wakaf —

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

[Subsidiary]

SCHEDULE — (continued)

IN THE NAME OF ALLAH,
THE COMPASSIONATE AND THE MERCIFUL

I do hereby solemnly and sincerely and entirely because of Allah 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 Kadi 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 Darussalam 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 20, 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:

SCHEDULE — (continued)

(12) In the presence of Kadi District.

Name of Kadi

(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 Kadi:

Made this day of, 20

..... a.m./p.m. at the Religious Office District.