



Administration Waqf properties In Islamic jurisprudence and law *Comparative study*

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Abstract	Article info
<i>Waqf in Islamic jurisprudence is to lock up the asset and use the benefit, i.e. prevent the disposal of the suspended money (sale, gift or inheritance) with directing its benefits to the aspects of righteousness and goodness identified by the Waqf the management of waqf property in Islamic jurisprudence is based on honesty, good management and compliance with the condition of the Waqf with legitimate and judicial control and ensures the protection of the Waqf and the sustainability of its benefits to serve the community</i>	Received
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1. Introduction

for Endowment is considered one of the most virtuous and charitable acts. God Almighty said: {You will not attain righteousness until you spend from that which you love} because its reward continues even after a person's death. The noble Companions, may God be pleased with them, and those who followed them, realized the great reward of endowment, so they competed in dedicating their wealth to various charitable causes. Then, after them, the demand for this charitable work increased, and the purposes of endowment diversified and included all levels. There were endowments for students of knowledge, endowments for the sick, and endowments for places of worship...

And In the past, jurists paid great attention to the subject of endowments, so they devoted chapters of their writings to it and discussed its purposes, types and conditions, and they also diligently studied all the new issues that were raised concerning it.

The question raised is: How is the endowment property managed according to Islamic jurisprudence and Algerian law?

1-administration Endowment properties at the central level (administration and management):

1-1 Ministry of Religious Affairs and Endowments:

Article 46 of the Endowments Law states: (Authority The one in charge of endowments she the entity Eligible To accept Endowments, and she stays up late on Its operation (and protect it).

The Ministry of Religious Affairs in Algeria has had several names. After independence, it was called the Ministry of Endowments, then it was called the Ministry of Original Education in 1965 until 1977. This name was cancelled until 1999 when it was renamed the Ministry of Religious Affairs, then the Ministry of Religious Affairs and Endowments.

This ministry is considered the supreme authority for managing endowments in Algeria at the national level, in coordination with other bodies.

1-2 Inspectorate public:

Text Material First from decree Executive 2000-146 Revised and the complement and related to management Central in ministry Affairs religious and endowments on events rampant public and she referred to Organizing it and her work on decree executive The last one, which Issued under Number 2000-371 Including events This is amazing rampant and its organization and its course,

As for on Her tasks in Management framework Endowments Lost I identified it Material Second From him, So to side Her tasks Regulatory public on Various structures and institutions affiliated

guardianship It It does under authority Minister With visits monitoring And inspection is set up on tracking projects to exploit Property Waqf And inspect it Preparation Reports patrol on That sends it Inspector Year to Minister According to text Material 4from same The decree.

1-3 Directorate Endowments and Zakat and Hajj and Umrah:

Established This is amazing the directorate, according to Material03from decree Executive 2000-146 The Dated in:28/06/2000 included to organize Administration Central in ministry Affairs religious and endowments. The average and the complement by decree Executive Number 05/427 dated in: 07/11/2005 and in accordance with Article 03 of the latter, it shall do the following:

- Search on Property Waqf and Register it and a guarantee Announcing it and counting them.

Preparation Programs Related Management Property Waqf and investing in it and its development.

- tracking collection resources Property Waqf and determining Ways Spend it.

- to improve Management Financial And encouragement on Endowment.

- numbers Programs Improvement And encouragement on Endowment.

- a guarantee Trust Committee Property Waqf.

It includes This is amazing Directorate Two directorates Two branches They Directorate Sub For research on Property Waqf And disputes, and the directorate Sub For investment Property Endowment.

A - Directorate Sub To confine Property Waqf And its registration:

Established under Material Third Modified and the complement from decree Executive Number 05-427, and she is tasked with the following duties:

Research on Property Waqf and Register it and announcing it.

Musk Records barren Property Waqf Real Estate and Transferred.

inventory Property Waqf and situation card especially with all king Stop

- tracking Management Property Waqf.

Assistance on formation file administrative per person He wants in halt queen.

- tracking Advertisement Certificates Private with properties Waqf.

It includes This is amazing Directorate Sub:

- Office Search on Property Waqf and Register it.

- Office Studies Technology and cooperation.

- office Disputes.

b) Directorate Sub for Investment Property Endowment:

According to For the material⁰⁵from decision Ministerial Subscriber for Sub-directorate For investment Property Waqf Takes over Tasks Secretariat For this The committee, Knowledge It is from It is supposed to that be This is amazing Committee more Independence, and more Specialization, Because it Interested in investment Property Waqf until no disappear but rather and It is that She did With her job usual With different Departments Endowments in the world Islamic We would have considered it nerve sensitive In the directorate Endowments General.

It is Expensive According to text Material Third Modified and the complement The story Male In what It comes:

- numbers Studies Related By investing Property Waqf and its development.

Follow-up Operations Finance and accounting For properties Waqf and monitoring it.

- tracking collection Rent and maintenance Property Waqf.

- numbers Agreements Related By investing Property Waqf And follow Implementing it.

- situation mechanisms Media and advertising for projects investment the king Waqf.

It consists of:

- office investment and development Property Waqf.

- office Management resources and expenses Property Waqf.

- office maintenance Property Waqf.

So, our research in formation all Directorate Subsidiary, we find that all from it It consists from A group of Offices usually what He is Its employees less from Level Required Looking to Assigned tasks to all from it.

as That we find in all office number employees a little comparison with size Tasks The entrusted party is aware that Endowments in Algeria She suffered period long from Neglect and Loss.

1-4 Committee Endowments:

It caused This is amazing heaven Under decision Ministerial number²⁹The historian in²¹February1999Included construction Committee Endowments and determining Its duties and powers, and according to Material 09 from decree Executive 98-381 dated 01/12/1998 mentioned above, It arises This is amazing

Committee I have Minister The assigned In the affairs religious And the endowments are in charge administration and management Property Waqf and protect it on Upper Egypt National, Its headquarters In management Central Ministry Affairs religious And endowments.

A - Lineup Committee Endowments:

This committee was formed on 21/02/1999 by a ministerial decree issued by the Minister of Religious Affairs, in accordance with Article 02 of Ministerial Decree No. 99-29. It is composed of senior officials from the ministry's central administration and representatives from other sectors, and may seek assistance from other bodies. The committee is open to any person who can assist it in its work, and its headquarters are located within the central administration building, as stipulated in Article 3 of the ministerial decree. It consists of:

- Director Endowments, President.

The manager Sub- For investment Property Endowment, Writer Committee.

- The one in charge in studies Legal And legislation, Member.

- Director Guidance and rituals religious, Member.

- Director administration means, Member.

- Director Culture Islamic Member.

- Representative Interests Properties The state, Member.

- Representative on ministry Agriculture hunting Marine, Member.

- Representative on ministry Justice, Member.

- Representative Council Islamic The highest, member.

He added to them Ministerial decision 11/11/2000 Supplementing the decision 29 New members include:

- Representative on ministry Interior and groups Local, Member.

- Representative on ministry Works General Assembly, Member.

- Representative on ministry Accommodation And urban development, Member.

And He returns a reason addition these Members Under this decision Ministerial he The role that This is how you play it Ministries in practical Search Field on Property Endowment, That's when Available attic from Documents and Interests Administrative The correlation Closed In operation Search on Endowment Real estate, Which makes this The representation is not He justifies it In the Regarding practical study position all drug, And to stand on Its nature Legal.

b) The tasks of the committee:

b)1. Settlement of endowment properties:

As it studies cases settlement position Property Waqf public and private when Requirement in view of rulings Materials: 03, 04, 05, 06 of decree Executive 98-381 and the minutes stereotype per condition on Sharpness, and in this framework It does Committee By:

Settlement positions all land halt I allocated to build mosques and projects religious and its annexes, as stipulated in Article 3 (All endowed land designated for the construction of mosques and religious projects and their annexes shall be considered part of the public domain). This designation was made in exchange for amount symbolic deduct from account Endowments public for the benefit original owner whether They were people natural or moral or it was This is amazing the earth King For the state, This According to the text Material04from decree Former executive. And the article43from the law Number 91-10.

Settlement position Property Waqf that Alt to halt general after Interruption Heel and its extinction (i.e. She was Endowments especially) And also It does settlement position Property Real estate Waqf that Added to Properties State or nationalization in framework law Revolution agricultural or that Seized On it People and that after practical Retrieve it according to text Article 5 of decree Former executive.

Settlement position some Property and specified on Way Exclusion in Material6from decree Executive 98-381 within Endowments public The protected one For specific in Material8from the law Number 91-10, which is:

Property that He bought it people Natural or moral in their name Personal For the benefit of Endowment.

Property that I stood After I bought with money group from Muslims.

Property that He fell Subscription On it in middle community.

- Property which were allocated for projects religious.

b)2. In the area of appointing, monitoring, and dismissing the administrator of the endowment:

It supervises the supervisors of endowments, and is responsible for studying the cases of their appointment, approval, and replacement when necessary. It determines the rights of each supervisor according to the work he does, and the committee is consulted in the event of terminating the supervisor's duties.

And supervise on numbers guide a job headmaster the king Waqf or It depends His proposal Standard documents Therefore, in a light rulings Articles 13 and 14 of decree Executive 98-381 if she saw that Unification Road a job Observers necessary.

b)3. In the field of endowment investment:

Within the framework of endowment investment, it works on preparing and approving documents related to the investment of endowment properties, such as those pertaining to Renting properties Waqf on road Auction public or mutual consent According to For rulings Articles 22 to 27 of decree Executive 98-381, as Honor on Preparing a notebook conditions typical For rent Property Waqf in a light jurisprudence Endowments and organizations In effect, In addition to study cases renewal contracts Rent is not Ordinary, and determining Priorities Regular spending For rent Endowments Available and spending Urgent in a light rulings Articles 23, 33, 34 are adopted Documents Necessary Therefore.

c) Method a job Committee:

They meet Committee Endowments According to text Material6from decision Number 29 in Regular course time one all two months on the least building on call from Its president who He specifies agenda He displays it on the minister, and after His approval He informs him for members week before convening the course on the least.

as maybe Committee that They meet in turn not Ordinary whenever She called Necessity to that Nor its deliberations unless In attendance majority Its members And it is recorded Its deliberations in

register private stylus and indicator He signs it attic Members Committee Attendees According to text Material8from same decision, on that Minister approves Affairs religious Endowments on deliberations Committee during Week Loyalty For history The meeting, and after This is amazing Authentication become that deliberations Obligatory For all Those in charge on administration Management Property protection Waqf And it is implemented In the ways Administrative The occasion Application text The two articles9and10From the same decision.

2-administrationEndowment properties at the local level (management and administration):

2-1 Directorate Affairs religious Endowments:

This directorate is the highest authority in the state responsible for managing endowment properties and operates under the supervision of the ministry. body Local Established under decree Executive2000-200 The Historian On 26/07/2000 which He specifies Regulations Interests Affairs Religious Endowments in State And her work.

And it stipulates Material10from decree Executive 98-831 on That he: (stays up late) glasses Religious Affairs Endowments in State on Management Property Waqf and protect it Research About her and he stripped her and

documenting it administratively According to for organization Maamoul Its powers include:

- to implement all management from His affair promotion Activities Affairs religious Endowments And he paid her.

- Staying up late on re role Mosque As a center radiation religious and educational and cultural And social.

- monitoring Management and Staying up late on protection Property Waqf and Investing in it.

- monitoring Projects Proposed To build schools Quranic and projects Property Waqf.

giving Approval The explicit Related In projects Proposed To build mosques.

- numbers map Mosque For the state.

- Conclusion contracts Property rental Waqf and investing in it in border that He gives it Legislation and organization

Maamoul With him.

It includes This is amazing the directorate, along with the departments of users, resources, accounting, Quranic education, training, and Islamic culture, an interest Guidance and rituals and the endowments that Branches To the office Guidance and guidance religious and office rituals religious Endowments. The latter is supervising attic employee Rank Agent and takes charge boss Affairs Religion is

important Supervision on Endowment Administration As the boss Loyalty For Affairs religious Endowments from during Agents Endowments Those who employ in province State To monitor Property Waqf.

2-2 Mosque Foundation

keen from State on to organize This endowment, and expansion for the benefit the year, established institution Mosque in all State Enjoy Personality Morality and independence Financial under decree Executive Order 91-82 dated 23/03/1991, which includes the creation of institution The mosque, with signal to that This is amazing The Foundation no practice activity commercially According to the text of Article 02 of the same decree.

And I have This institution was entrusted with tasks in the field of endowment management under Article 05 from decree Executive 91-82 and Heas follows:

- Care Building mosques and schools Quranic And the contribution in Preparing it and its maintenance on light came with him decree Executive 91-82 of rulings pertains to This is amazing the process from building and to equip and management.

- Care With architecture mosques.

- Protection on sanctity mosques and diet Her properties.

- Activation Movement Waqf and Rationalization investment Endowments.

2-3 Agent Endowments:

It states Material¹¹ from decree Executive 98-831 on It states: (The agent of endowments, within his district and under the supervision of the Minister of Religious Affairs, monitors the site of the endowed property and follows up on and supervises the work of the endowment property administration...), in accordance with Article 25 of the decree. Executive⁹¹⁻¹¹⁴ The Historian in^{27April1991}Included Basic Law private workers sector for affairs Religious.

Article 25 mentioned above defined the tasks agent Endowments, It is as follows:

1. Monitoring Property Waqf and Follow her.
- 2 - Month on maintenance Property For an endowment.
3. Musk notebooks inventory and the accounts.
4. Staying up late on investment Endowments.
5. Encouragement citizens on Activation Movement Waqf.
- 6-muskAccounts for and control of endowment properties.

2-4 Definition Regarding the King's endowment supervisor and the method of his appointment:

2-4-1 Definition By the King's Endowment Supervisor

The observer is The person who takes charge of the endowment and supervises it, and some jurists call him the trustee of the endowment or its administrator, but calling him the overseer is the name mentioned in most books of jurisprudence.

So the observer He is the manager, trustee, or custodian who manages and supervises all matters of the endowment, including preservation, care, and investment, then collecting the proceeds and distributing them to those entitled to them, and all the various administrative operations that this requires.

He The one who takes care of it, repairs it, and spends its proceeds on those who deserve it.

Law 90-10 did not define the supervisor of the endowment, but it stipulated in the article: (The management of the endowment shall be undertaken by the supervisor of the endowment according to the procedures determined by regulation), and it also stipulated in Article 34 of it that: (A subsequent regulatory text shall determine the conditions for appointing the supervisor, his rights and the limits of his actions).

As for the decree Executive 98-381 He therefore limited himself to defining what is meant by the management of the

endowment through the text of Article 07, which states: (The management of the endowment, as defined in this text, means the following:

- His care.
- Its architecture.
- Exploiting it.
- Save him.
- (protecting him).

And it becomes clear This article contains some elements that are repeated, as care, preservation, and protection are all synonymous. It could have been said: The management of the endowment is its care, construction, and exploitation. However, it lacks an element that falls under the management of the endowment and was not mentioned, which is the disbursement of the proceeds to those entitled to them, because this element was mentioned in the duties of the endowment manager in the fourth section of the second chapter of the aforementioned decree.

In Islamic jurisprudence:

I agree Islamic jurists agree that if the endower stipulates a supervisor, it is acted upon like all his other stipulations, unless he stipulates it for himself, in which case it is prohibited according to the Maliki school because it contradicts possession.

As for If no specific supervisor is stipulated, or if a specific supervisor is stipulated but

it is not possible to implement his condition, then there is a difference of opinion and further details regarding the matter:

In According to the Hanafi school of thought: The guardianship belongs to the one who established the endowment, according to Abu Yusuf, if he is alive, then to his executor if there is one, then to the ruler. According to Muhammad, the guardianship does not belong to the one who established the endowment except by stipulation.

In the Maliki school of thought: if The person standing there was oblivious to the fact that the authority belongs to the ruler.

And when The Shafi'i school of thought considers the issue controversial; some say it belongs to the ruler, others say to the one who made the endowment, and still others say to the beneficiary.

And in The Hanbali school of thought: The endowment is examined by the one who stipulated it. If he made the supervision for himself, it is permissible. If he made it for someone else, then it is for him. If he did not make it for anyone, or made it for a person who died, then the one for whom the endowment was made examines it, because it is his property and its benefit is for him. It is possible that the judge examines it.

2-4-2 Appointment King's Endowment Supervisor

According to Text of the article from 16 from Executive Decree 98-381 stipulates that the supervisor of the endowment property is appointed by the Minister in charge of Religious Affairs and Endowments by decree, after consulting the Endowments Committee, from among:

- 1- The endower or the person designated in the endowment contract,
- 2- Detainee On them, or those they choose, if they are specific, limited, and of legal age.
- 3- Wali Those under arrest, if they are specific, limited, and minors,
- 4- From He did not request the guardianship for himself from the people of goodness and righteousness, if the beneficiary was not specified, or if the specified person was not limited, was not of sound mind, and had no guardian.

And it is The appointment of a supervisor of the endowment property or supervisors for several endowment properties if the latter are numerous, by a decision of the Minister of Religious Affairs and Endowments, after consulting the opinion of the Endowments Committee.

as The Minister in charge of Religious Affairs and Endowments shall appoint a supervisor for the endowed property or someone he proposes to appoint if the supervisor of the endowment is unable to perform his duties permanently or

temporarily, until it becomes possible to resume performing his duties.

In addition In addition, the Minister in charge of religious affairs, when appointing a supervisor for the endowed property, must choose him from among the persons specified in Article 16 of the same decree mentioned above, namely, the endower or the person stipulated in the endowment contract, the beneficiaries or those they choose if they are specified, limited, and of sound mind, the guardian of the beneficiaries if they are specified, limited, and of sound mind, and finally, those who have not requested the supervisorship for themselves from among the people of goodness and righteousness if the beneficiary is not specified or specified but not limited and of sound mind and has no guardian.

Appointment conditions King's Endowment Supervisor

Material Article 17 of the aforementioned decree listed the conditions for the supervisor of the endowments: (The person appointed or approved as supervisor of endowments must be: 1- Muslim, 2- Algerian national, 3- of legal age, 4- of sound mind and body, 5- just and trustworthy, 6- competent and capable of good management).

1- The administrator of the endowment must be a Muslim: As for Islam of the observer, as some Hanafi scholars have

stated that this is not a requirement And did not The Malikis and Shafi'i's mention it among the conditions of appointment, and some Hanbali's have stated that it is a condition.

God Almighty said: "And God will never grant the disbelievers a way [of authority] over the believers." (An-Nisa, verse 141).

The supervision of the endowment is a guardianship, and a non-Muslim has no guardianship over a Muslim.

2- To be of Algerian nationality: This is logical as long as it is a job, and it is subject to the general provisions of the country, and citizenship is required to manage his country's funds.

3- To be exaggerated Age of majority: And reaching The age of majority is stipulated in the Hanafi and Hanbali schools, but not in the Maliki and Shafi'i schools, and that's all. Article 40/02 of the Civil Code states that the age of majority is 19 full years.

And it is raised the problem in the if text Standing on headmaster, and did not It is exaggerated According to Age Specific in law Civilian, and it reached According to Signs Puberty Specific in Jurisprudence Islamic.

4- To be sound Mind and Body: As for safety mind Text attic when The tap, no when Malikis And the Shafi'i school, It includes Condition of assignment when

The Hanbali's, A madman's glasses are not valid.

5. To be just Amina: Justice was stipulated, which is the opinion of the majority of jurists, and the Hanbali's added: if He was the observer Detained attic, No It is required in its Justice, even if He was Conditionally From the one standing Then he appeared His immorality, no isolates, But it includes to him Amen.

6- To be of the Efficiency and ability to act responsibly: and efficiency It is the ability to act; it is neither prudent nor wise to appoint the incapable. He stated The tap The Hanbali's By permitting women to assume the position of supervisor, And did not It is mentioned Maliki And the Shafi'i school Masculinity in The supervisor's condition.

The required conditions for the person appointed or approved as supervisor of the endowment are established through investigation, extensive testimony, and experience, given the importance of this position in the care of the endowment property.

2-4-2The rights and responsibilities of the supervisor:

a) Rights of the supervisor:

if He was The observer commissioner To do Management the king Waqf And its management, It is In contrast that Enjoy With advantages and rights Approved for him The law, as stipulated in Article 18 of the aforementioned law, which states: (The supervisor the king Waqf Right in For a monthly fee or annual It is estimated And determines from rent the king Waqf that It makes it easy beginning from Date of appointment or Its adoption And it is possible when Requirement grant this The opposite from not resources King Waqf that He takes over His glasses.

In addition to that It states Material²⁰ of same decree on what the following: (subject to Supervisor's work the king Waqf For commitments Insurance and Warranty social According to the applicable regulations (By it).

01 - The Right in for a monthly fee or annual According to Article 19 of the same law, this compensation is determined according to what is stipulated in the endowment contract. If it is not stipulated in the contract, the Minister in charge of religious affairs determines its percentage, after consulting the Endowments Committee at the level of the same ministry.

And in Jurisprudence Islamic male The tap that brick The trustee if Specify it Standing It is for him Even if It was more from brick The proverb, for did not Appoint for him eye for him judge brick The proverb, And

also if eye The one standing has less from brick The proverb jazz For the judge that Complete for him brick The proverb At his request, And if isolation on The appointment If it was what make for him from brick In exchange currency It breaks About him.

Similarly, according to the Maliki school, if the endower neglected to specify a fee for the supervisor, the judge may set one. for him Arranged from Its yield.

And in The doctrine Al-Shafi'i: if condition Standing For the observer Something from Rent jazz, and that Increase on The wage of a third, unless if He was Looking for him any For the one standing, And a condition For himself, It is no He increases on brick The proverb, for Why not mention Standing For the observer brick No brick for him on Correct, Like a washer And the like, It was said for him The same wage.

And in The doctrine Hanbali For the observer Wage Like him, for He was Estimated in The Diwan And he worked With him group It is a reward The proverb, and that did not Yes Something for He was famous Taking Current on currency, Villa Ongoing Like him, otherwise No something for him unless eater In a good way.

01 - The Right in Insurance According to Article 20, the supervisor is subject to social security obligations, and these are

deducted from the monthly salary. Or annual.

And pay Subscriptions Social Security from brick The observer This Given Because it an interest a personality Accordingly when It provides This system from Privileges For the observer This ensures job stability and security for those managing endowments, as insurance is a right before it is an obligation. It provides social protection for the administrator and their dependent family in case of illness or risks arising from their management of the endowment.

b) The supervisor's responsibility:

in If the supervisor is found to be negligent and derelict in his duties regarding the endowment, he will be held liable. This liability may be civil or criminal.

Firstly: Civil Liability

The trustee's liability is civil, according to Article 13 of the same law, and he is liable for any negligence. Therefore, if the endowment funds are lost while in the trustee's possession due to his negligence or failure to safeguard them, or if they are misappropriated, or if the proceeds are spent improperly, he is liable for this loss and obligated to pay compensation. However, if the property is lost without any negligence on his part, he is not liable. Jurists have identified, as examples, the cases in which the trustee is liable and the

cases in which he is not. We will mention some of these:

- Cases In which he is liable if he fails to preserve the produce and as a result it is destroyed, or if he neglects to distribute the produce without justification and it is destroyed, or if he borrows without permission from the judge and without a condition from the endower.

- Cases The supervisor is not liable for the loss of the endowed property or its resources due to force majeure or a heavenly calamity that the supervisor cannot prevent, without any negligence on his part in preserving it. If the endowment's proceeds are lost before reaching him, he is not liable for the loss because he did not transgress against it and was not negligent in preserving it.

According to Algerian law, Article 124 of the Civil Code states: "Any act, whatever it may be, committed by a person through his own fault, and which causes harm to others, obligates the person who caused it to pay compensation."

Meaning Any damage inflicted by the supervisor or someone in his position on the endowment or its appurtenances requires his liability for his harmful act. The exception to this rule is the text of Article 127, which states that: (If a person proves that the damage arose from a cause beyond his control, such as a sudden accident, force majeure, a mistake made by the injured party, or a mistake by a third

party, he is not obligated to compensate for this damage unless there is a legal text or agreement to the contrary).

Therefore If the trustee proves that the damage to the endowment or its appurtenances occurred due to one of the reasons mentioned in the article above, the causal link between the damage and the trustee's error is negated, and he is therefore not liable and consequently not a guarantor.

secondly: criminal liability

Please In addition to the civil liability of the administrator, the legislator has also stipulated his criminal liability, according to Article 36 of the Endowments Law, which states that any person who exploits endowment property in a concealed or fraudulent manner, or who hides or forges endowment contracts, documents, or records, is subject to the penalties stipulated in the Penal Code. The phrase "any person who..." includes the administrator of the endowment.

3- Finish Duties of the King's Endowment Supervisor:

According to the decree Executive Order 98-381, concerning the conditions, management, and protection of endowment properties and the methods thereof, divides these cases into two categories by which the duties of the supervisor of the endowment property are terminated, namely:

cases Exemption and dismissal cases, by decision of the Minister in charge of Religious Affairs and Endowments, in accordance with the principle of parallelism of forms, so the authority and method of appointment is the same as the authority and method of termination of duties.

3-1 cases exemption Article 21 of the same decree stipulates that the supervisor of the endowment property shall be relieved of his duties and his actions shall be nullified in the following cases:

a) If He became ill with an illness that deprived him of the ability to work or deprived him of his mental capacity.

b) If Its inefficiency has been proven.

c) If he relinquishes his position of his own free will, provided that he notifies the peaceful authority in writing of his desire to resign on the date of his departure.

d – If it has been proven that he uses any intoxicant, narcotic, or engages in gambling.

if the endowed property is mortgaged in whole or in part, or sold without permission from the authority in charge of endowments.

and If he claims private ownership of a part of the endowed property.

Y - If he betrays the trust placed in him and neglects the affairs of the endowment.

3-2 cases Projection:

Article 21 of the same decree specifies them as follows:

a) If It has been proven that it harms the affairs of the endowment and the interests of those for whom the endowment was established.

b) If it is found that it causes harm to the future of the endowment property or its resources.

c) If he commits a felony or misdemeanor.

As we said before, he is loyal In both cases, whether the duties of the supervisor are terminated by exemption or dismissal, they are terminated by a decision of the Minister in charge of religious affairs and endowments. The cases or reasons mentioned above are proven by investigation, field inspection, testimony, expertise, and declaration under the supervision of the Endowments Committee, which studies cases of terminating the duties of supervisors of endowment properties and approves the standard documents for each case.

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