

**Federal Law No. (5) of 2018
on WAQF (Endowment)**

**We, Khalifa Bin Zayed Al Nahyan, President of the United Arab Emirates,
Having reviewed:**

- The Constitution;
- Federal Law (1) of 1972 on the Competences of Ministries and the Powers of Ministers, as amended;
- Federal Law No. (5) of 1985 promulgating the Civil Transactions Law, as amended;
- Federal Law No. (3) of 1987 promulgating the Penal Code, as amended;
- Federal Law No. (10) of 1992 promulgating the Law of Evidence in Civil and Commercial Transactions, as amended;
- Federal Law No. (11) of 1992 promulgating the Civil Procedure Code, as amended;
- Federal Law No. (35) of 1992 promulgating the Criminal Procedure Law, as amended;
- Federal Law No. (29) of 1999 Establishing the General Authority of Islamic Affairs and Endowments (GAIAE), as amended;
- Federal Law No. (28) of 2005 on Personal Status;
- Federal Law No. (2) of 2015 on Commercial Companies; and
- Federal Law No. (20) of 2016 on Mortgaging of Movable Assets as Security for Debts; and
- Pursuant to the approval of the Cabinet and Federal National Council, and the ratification of the Federal Supreme Council,

Hereby enact the following Law:

Article (1)

Definitions

For the purposes of applying the provisions of this Law, the following words and expressions shall bear the meanings assigned thereto respectively, unless the context requi

res otherwise:

The State (UAE)	: The United Arab Emirates
GAI AE	: The General Authority of Islamic Affairs and Endowments
The Competent Authority	: The authority or the local entity concerned with the management of the endowment affairs in each emirate, as the case may be.
Waqf (Endowment)	: Dedication of a benefit or dedication of a benefit and detention and preservation of the endowed property.
Settlor (Waqif)	: The owner of the endowed property which he has detained, whether being a natural person, Muslim or non-Muslim, or a legal person.
Endowed Property	: Everything that's valid to be the subject matter of Waqf, whether properties, benefits or rights.
Beneficiary	: A person who is eligible to disburse Waqf proceeds, whether a natural or legal person, an initiative, a project or other disbursement channels.
Beneficiaries Layers	: The beneficiary's children, descendants, heirs, and successors, such as grandchildren and their descendants, including males and females.
Settlor's Condition	: The conditions established by the Settlor to specify the nature of Waqf and the disposition thereof it in terms of Waqf disbursement channels, its manner, term, sustainability and viability, trusteeship, managing its affairs and all relevant matters.
Waqf Certificate	: A certificate issued by the competent court establishing Waqf or any amendment made thereto.

- Register** : The register established by the Competent Authority to record the Waqf Certificate or any amendments made thereto.
- Trustee** : The Competent Authority or natural or legal person assigned by the Settlor or under the Provisions of this Law and its Executive Regulations to supervise Waqf management, undertake its affairs and organize its administrative and financial affairs, whether being one or more.
- Investment** : Keeping money, developing and increasing it by one of the legally allowed investment means.

Article (2)

Scope of Application

The provisions of this Law shall be applicable to all kinds of Waqf existing in the State at the time of entry into force of the provisions of this Law, and the kinds that may occur after the entry into force of the provisions thereof.

Article (3)

Gregorian Calendar

The Gregorian calendar shall be used for the terms provided for in this Law, unless otherwise provided.

Article (4)

Waqf Forms & Descriptions

1. Waqf forms shall be classified as follows:
 - a. Family Waqf: the endowment dedicated by the Settlor to himself, his children or

other persons identified by themselves or by their descriptions, whether being relatives or others;

- b. Charitable Waqf: the endowment whose proceeds are designated to all charitable purposes, or to a specified entity, initiative or project in charity domain;
- c. Joint Waqf: the endowment whose proceeds are designated for both charity and family.

2. Waqf descriptions shall be as follows:

- a. Permanent Waqf: any Waqf stated as permanent by a text provided for in the Waqf Certificate, or where no provision describing it as temporary is provided for in the Waqf Certificate , in addition to mosques and cemeteries Waqf, and other endowments required to be permanent and specified by the Executive Regulations of this Law;
- b. Temporary Waqf: any Waqf provided by the Settlor to a limited term or a specific layer of his descendants, under the controls and conditions set by the Executive Regulations of this Law;
- c. Individual Waqf: a Waqf dedicated by one Settlor;
- d. Collective Waqf: a Waqf dedicated by two or more Settlers.

Article (5)

Requirements for the Settlor

If Settlor is a natural person, he shall comply with the following requirements:

- a. He shall be fully competent;
- b. He shall own the property intended to be a Waqf or have the right to dedicate it;
- c. He shall not owe a debt, prior to the establishment of Waqf and such debt is equal to or more than the Waqf, or his money remaining after Waqf is not enough to pay off

- his debt, unless the creditor approves the Waqf;
- d. He shall not establish Waqf for the purpose of evading the payment of the debt or the right of preemption, circumventing the inheritance provisions, or violating the public order;
 - e. If the Settlor is terminally ill, his will to other than the heirs shall be valid within no more than one-third of his property, the will shall be estimated by the value of the one-third of his property when establishing Waqf. In case the amount allocated for Waqf is more than a one third of the inheritance, it is up to the heirs to accept or reject the Waqf. If the Settlor has no heirs, he may dedicate any of his property he may desire for any person he wants;
2. If Settlor is a legal person, he shall comply with the following requirements:
 - a. The endowment decision shall be issued by the legal representative for the legal person, provided that the issuance of this decision falls within his powers, under a special Power of Attorney or a written authorization that is duly authenticated;
 - b. A legal person shall own the property intended to be a Waqf or have the right to dispose thereof;
 - c. He shall not owe a debt, prior to the establishment of Waqf and such debt is equal to or more than the Waqf, or his money remaining after Waqf is not enough to pay off his debt, unless the creditor approves the Waqf;
 - d. He shall not establish Waqf for the purpose of evading the payment of the debt, circumventing the provisions of laws, or violating the public order.

Article (6)

Beneficiary's Requirements

1. If the beneficiary is a specified one, he shall comply with the following requirements:

- a. Beneficiary's acceptance; in such a case, acceptance shall be a condition for the beneficiary's entitlement to Waqf. If the beneficiary is underage or interdicted, it shall be accepted by his guardian. If it is not accepted by the beneficiary or his guardian, entitlement shall be transformed to the next in line, if any. In case of his absence, it shall be transformed to the acts of charity, unless otherwise stipulated by the Settlor. The guardian of the underage or interdicted person may not reject Waqf, unless he gets permission from the competent Court;
 - b. The beneficiary shall be an institution that is legally entitled to Waqf;
 - c. Waqf shall be allocated for a current channel or a future possible one. If there is no a specified or known channel, Waqf shall be allocated for acts of charity.
2. The beneficiary shall be designated in charitable Awqaf if he is not designated by the Settlor. The Settlor has the right to designate another beneficiary till his death. If he dies before designating the beneficiary, the proceeds of Waqf shall continue to be allocated for the acts of charity.
 3. Acceptance of the beneficiary is not a requirement for the validity of Waqf if it is an unspecified charity or its acceptance is inconceivable or if it is a family Waqf.
 4. Self-dedicated Waqf is allowable. In case of the Settlor's death, endowed property shall be transferred to the competent authority to spend its proceeds on the acts of charity if the Settlor has not designated his entitled successor.

Article (7)

Requirements for the Endowed Property

The endowed property shall comply with the following requirements:

1. It can be a specific property, such as properties, real estates, sukuk, stocks, shares, securities, trade name, an intellectual property right or any other property valid for use.

2. It shall be legally valid for use;
3. It shall be owned by the Settlor or may be legally disposed of thereby;
4. It shall not be perishable;
5. It shall not be mortgaged or foreclosed under a court order or an administrative decision;
6. If the endowed property is subject to common ownership, it shall be dividable. Otherwise, the partner's permission shall be obtained. The competent authority shall be competent to divide the endowed property subject to common ownership, and each part of it shall remain in place;
7. If the endowed property is a plot of land or real estate allocated for mosques or cemeteries, it shall be sorted out. The utilities allocated to serve such endowed property and be spent on it shall be classified as the same. Its Waqf shall be permanent.

Article (8)

Cases of Invalidity of Waqf

According to the provisions of this Law, Waqf shall be invalid in any of the following cases:

1. If the Settlor violates any of the provisions of Article (5) of this Law; or
2. If the Waqf is dedicated to an entity not permitted by law to receive Waqf.

Article (9)

Establishment, Legal Validity and Interpretation of Waqf

1. Waqf shall be established upon the Settlor's valid legal will. The Settlor or his legal representative shall conduct the procedures for issuing the Waqf certificate from the competent court and enter it in the Register;
2. Waqf may be established during the Settlor's life or after his death. If it is established after the Settlor's death, its value shall not exceed one-third of the Settlor's property at

the time of establishing Waqf;

3. The Waqf certificate shall include Settlor's will to dedicate his property and allocate its benefit to whom he chooses and under the conditions he stipulates, all the data related to the Settlor, his conditions, the endowed property, the beneficiaries and their successors, Waqf channels and its conditions, the trustee and his fees, and to determine the institution to which the trustee shall submit the records and financial reports, in addition to the Waqf term if it is temporary;
4. The Waqf certificate shall have the absolute authority over everyone, including the Settlor and his public and special successors;
5. The Settlor's condition shall be tantamount to the rulings laid down by the legislator within the Provisions of this Law and the laws applicable in the State. Ambiguity in the Settlor's will shall be interpreted according to the meanings of words and contexts provided in the Waqf certificate.

Article (10)

Effects of Registering Waqf

Registering Waqf in the Register shall have the following effects:

1. Acquiring the legal personality, financial and administrative autonomy and the right of legal recourse in this capacity;
2. Transferring the endowed property's ownership and possession to the Settlor. It may not be disposed of during the Waqf term by any kind of dispositions, which involve the transfer of ownership or the restriction of benefiting from its proceeds, such as sale, mortgage or donation;
3. The beneficiaries' entitlement to their rights stipulated in the Waqf certificate;
4. The effectiveness of the Settlor's conditions. In case Waqf is based upon an illegal

condition, goes against the origin of Waqf, holds up its interest or passes up beneficiaries' interest, Waqf shall be valid while the condition shall be invalid. If two or more conditions contradict, both shall be brought together if possible; otherwise, the late condition shall come into effect;

5. Combining between property of Waqf and any other property is not allowable.

Article (11)

Revoking Waqf and Amending the Conditions thereof

1. The Settlor may revoke his family Waqf during his life; he also may amend the Waqf certificate as well as replacing the endowed property if he stipulates the same for himself in the Waqf certificate. In all cases, revocation of the Waqf or amendment of any of its conditions shall be established by another certificate issued by the competent court, provided that such amendment is registered in the Register.
2. As an exception to the provision of Clause (1) of this Article, the Settlor may revoke his Waqf or amend its conditions after getting a permission from the competent court, if he suffers from destitution and is in need to such endowed property, even if not stipulated in the Waqf certificate.
3. If Waqf is permanent, it may not be revoked.

Article (12)

Trustee's Appointment

1. Each Waqf shall have a trustee;
2. The Settlor shall appoint the trustee or specify the method of appointment of the trustee in the Waqf certificate or under an independent written agreement;
3. The Settlor may be a trustee;

4. If a trustee is not appointed to Waqf or the method of appointment is not specified in the Waqf certificate, the Settlor shall appoint the trustee within no more than (60) sixty days from the date of registering the certificate in the Register. In case of the expiry of such term, the competent authority shall be responsible for undertaking the duties of administration or appointing the trustee.

Article (13)

Requirements for the Trustee

1. If the trustee is a natural person, he shall meet the following requirements:
 - a. He shall be fully competent,
 - b. He shall be of good character and conduct;
 - c. He has not been sentenced to a custodial penalty in a felony or misdemeanor involving breach of honor or trust, unless rehabilitated;
 - d. He shall be able to manage Waqf according to the Settlor's conditions; and
 - e. Any other conditions stipulated by the Settlor in the Waqf certificate or by the Executive Regulations of this Law;
2. A legal person may be assigned to administer Waqf, provided that it is licensed and able to manage Waqf according to the Settlor's conditions, in addition to any other conditions stipulated by the Settlor in the Waqf certificate or by the Executive Regulations of this Law.

Article (14)

Rights of the Trustee

1. The trustee shall manage Waqf as he deems appropriate, provided that his management does not contradict the conditions stipulated by the Settlor, or the provisions of this Law

or its Executive Regulations;

2. The trustee is entitled to receive fees in consideration for the administration, unless being a donor to conduct such duties, according to the text provided in the Waqf certificate, or under an independent written agreement between him and the Settlor. If the trustee's fees are not determined in the Waqf certificate, the competent authority may determine such fees according to the rules and procedures stipulated by the Executive Regulations of this Law.

Article (15)

Obligations of the Trustee

The trustee shall have the following obligations:

1. Complying with the Settlor's conditions, if the condition is valid;
2. Preserving the endowed property against loss and damage. Its repair and preservation shall be made before spending its proceeds on the beneficiary;
3. Managing Waqf and using it for its intended purpose, keeping its progress, maintenance and disbursing its benefits to the beneficiaries, according to what is stipulated in the Waqf certificate and this Law and its Executive Regulations;
4. Exercising due diligence to develop and invest the endowed property by himself or by assigning another experienced and competent person meeting the trustee's requirements, when he is authorized to do so in the Waqf certificate or administration contract;
5. Not to dispose of the endowed property unless there is an interest to preserve it, and after obtaining a written consent to that effect from the competent authority; otherwise, the disposition shall be deemed invalid;
6. Not to lease the endowed property or make use of it in consideration for a rent less than

the prevailing rent;

7. Preparing the accounting records and financial documents, keeping it and submitting the necessary financial reports about Waqf situation to the institution specified in the Waqf certificate, according to the rules and procedures stipulated by the Executive Regulations of this Law;
8. Depositing Waqf proceeds in the name of Waqf at a bank account in any of the banks licensed in the State; and
9. Any other obligations stipulated by the Executive Regulations of this Law.

Article (16)

Trustee's Responsibility

1. The trustee shall be trusted to Waqf and representative therefor before the third party. His decision regarding the disbursement on the affairs of Waqf or the beneficiary shall not be accepted without evidence, except for what does not require evidence according to the customs;
2. The trustee shall be accountable for the harm caused to Waqf due to violating the provisions of this Law, its Executive Regulations, the Waqf certificate, or the administration contract, due to his negligence or faults while performing his job, or due to breaching the duty of due diligence. Every condition stipulating otherwise shall be deemed invalid.

Article (17)

Trustee's Breach of Obligations

The Settlor or the competent authority, as the case may be, may take one or more of the following measures against the trustee who breaches his obligations, whenever he commits

the breach which justifies the measure as detailed below:

1. Depriving the trustee of the administration fees, whether in whole or in part, if he carries out administration in consideration of fees, if the trustee frequently delays the preparation of the accounting records and the financial documents, the maintenance of the same and the submission of the necessary financial reports concerning Waqf condition to the Settlor or any person selected thereby in the Waqf certificate or to the competent authority, as the case may be, in the specified dates;
2. If the trustee's encroach upon the endowed property, his negligence or omission in the administration of Waqf is proven, he shall be removed. If Waqf is family Waqf and the Settlor dies without specifying a removal mechanism, the trustee shall be removed by the competent court, at the request of every interested person;
3. If the trustee commits any act which could harm the endowed property or its proceeds in any manner, he shall be transferred to the competent authority; and
4. The right to seek any compensation from the trustee, if he causes damage or harm to the endowed property.

Article (18)

Wavier or Assignment of the Trustee's Duties

The trustee may not waive or assign his duties to a third party without the permission of the Settlor, competent authority or competent court, as the case may be.

Article (19)

Expiry of the Trustee's Mandates

If the trustee's mandates expire for any reason, the former trustee shall submit a final report concerning everything related to Waqf to the new trustee, clarifying the data defined in the

Executive Regulations of this Law, and deliver the money, properties, instruments and documents related to Waqf in his possession within (30) thirty days from the date of expiry of his administration. The former trustee shall be considered as an endowment guardian until delivering the money, properties, instruments and documents related to Waqf in his possession to the new trustee.

Article (20)

Removal of the Trustee

1. The Settlor has the right to remove the trustee, in case that he is appointed by him;
2. If the competent court when examining the trustee's acts or the action related to Waqf, held the trustee shall be removed or another trustee shall be appointed with him, the court shall transfer the administration to another trustee, or appoint another trustee with him until the dispute is finally adjudicated on.

Article (21)

Death of the Trustee and the Settlor

1. If the Settlor who appoints himself as a trustee in his life dies and does not appoint a trustee, his successors shall appoint a new trustee within (30) thirty days from the day following the date of death and shall amend the Waqf certificate, provided that the Waqf certificate is entered in the Register after editing it;
2. If the successors do not appoint a new trustee within the period specified in Clause (1) of this Article, or if the Settlor has no successors, the competent authority shall appoint a new trustee for Waqf within (30) thirty days from the day following the expiry of the thirty-day period specified in Clause (1) if the Settlor has successors or within (30) thirty days from the day following the date of death if the Settlor has no successors or the

competent authority shall undertake the trustee's duties;

3. If the Waqf is a family Waqf and the Settlor dies without appointing a trustee or states an appointment mechanism, the competent court shall appoint the trustee at the request of every interested person.

Article (22)

Administration of the Competent Authority

1. The competent authority shall be the trustee of Waqf in the following cases:
 - a. If Waqf is a mosque or cemetery; and
 - b. If the Settlor does not appoint a trustee for Waqf or does not state in the Waqf certificate the method of appointing the trustee.
2. The competent authority may be paid for undertaking the functions of administration from the annual proceeds of the Waqf, according to the regulations and terms set by the Executive Regulations of this Law.

Article (23)

Waqf Maintenance And Investment

1. The competent authority may determine a proportion of the gross revenue of Waqf which is executing as a reserve, allocated for the maintenance and investment, and it shall be deposited into its private account under Waqf name, and no other trustees shall do so unless it is required by the Settlor's condition or the competent court's permission;
2. Subject to the provision of Clause (1) of this Article, if Waqf properties, in whole or in part, need maintenance the costs of which exceed the amount dedicated for maintenance or the proportion allocated to maintenance, it is permissible to spend what meets this from the proceeds or by reserving all whatever needed of it, or to use the

reserve retained, if any, as prescribed in the Executive Regulations of this Law;

3. If the charitable Waqf cannot be invested or maintained by its proceeds, the competent authority may maintain it by public Waqf property or through Waqf surplus. It may also allow whoever wants to maintain it by his property. Waqf can be maintained with building or planting which shall be considered as part of Waqf. The one who maintains it has the right to be receive what he had spent over Waqf maintenance by taking a proportion of its proceeds every season until he is fully paid, taking into account the interest of Waqf. The trustee may perform such actions under the competent court's permission, as prescribed in the Executive Regulations of this Law.

Article (24)

Investment, Sale and Replacement of Waqf

1. The trustee may, under the Settlor's permission or the competent court's permission, as the case may be, do the following:
 - a. Invest the property allocated to Waqf until the time of the maintenance;
 - b. Borrow under the name of Waqf and for its account in order to maintain and repair Waqf, the loan shall be paid from Waqf proceeds, Waqf may not be mortgaged as a grantee of the debt payment;
 - c. Sell Waqf or replace it, provided that there is no authority spending over it, and there are fears of being perished or its facilities to be broken down, and become unused for what it is made for, in this case a new proprieties shall be purchased with the replacement property to replace the sold or replaced proprieties and invest them in legally allowed investment aspects, and the income shall be spent over the original Waqf disbursement channels; and
 - d. If there are no sufficient proceeds to repair Waqf, some of it shall be sold to repair the

rest of it.

2. The Executive Regulations of this Law shall stipulate the conditions, controls and procedures related to the investment, sale and replacement of Waqf.

Article (25)

Disposal of Waqf Proceeds

1. Waqf proceeds shall be spent over the beneficiary designated by the Settlor, according to the endowed property's nature, and as specified in the Waqf certificate or in this Law and its Executive Regulations, under the supervision and control of the competent authority.
2. Waqf proceeds may not be transferred out of the country without a written approval of the competent authority.
3. The surplus of the proceeds of the charitable Waqf may be used in channels not stated in the Waqf certificate, if it is beneficial for the acts of charity, provided the approval of the Settlor is obtained if he is alive, or the approval of the competent court is obtained in case of his death.
4. If the Settlor or any of the Settlor's ascendants, descendants, spouse or relatives up to the fourth degree suffers from destitution, those in need shall be paid from the charitable Waqf proceeds what meets their essential needs, and within the limits determined by the competent authority.
5. Waqf trustee may spend the charitable Waqf proceeds or the charity share in the joint Waqf or use its proprieties to reduce the results of public disasters, after obtaining the approval of the competent authority.
6. Waqf proceeds shall be directed to the acts of charity in the following cases:
 - a. Waqf which the Settlor does not state its disbursement channels;
 - b. Endowments whose beneficiary cannot be defined after announcing them in

- accordance with the procedures set by the Executive Regulations of this Law; and
- c. Waqf returned by the beneficiary, and the Waqf certificate does not state the procedure to be taken in this case, and the Settlor is dead.
7. If Waqf is joint, and the Waqf certificate does not provide the distribution of quota, the proceeds shall be divided in half between the individual beneficiaries and the acts of charity;
8. Benefiting from family Waqf proceeds shall be between males and females equally unless the Settlor stipulated another share for dividing in the Waqf certificate;
9. If the family Waqf is arranged in levels, and one of the beneficiaries dies, or is deprived of Waqf, the Settlor's condition, if any, shall be followed concerning his share, otherwise his share shall go to his descendant, if there is no descendant, his share shall go to whom in his level, if there is no any in his level, his share shall go to the level following it, and if a newborn or more are added to his level the level entitlement shall go to every new-born from the date of its birth, in case of the Settlor descendants extinct benefiting from Waqf proceeds shall be assigned to the competent authority to spend it over the acts of charity.

Article (26)

Disentitlement

In the event that the beneficiary deliberately murders the Settlor, the person who receives the benefit on his behalf, other beneficiaries or any other person whose death results in an increase in his share or hastens his entitlement to the Waqf proceeds, he shall be disentitled to the Waqf proceeds. Disentitlement, in this case, shall not affect the entitlement of the murderer's descendants who did not involve with him in the murder if they are entitled to the Waqf proceeds.

Article (27)

Dividing, sorting out, mortgaging and seizing Waqf

1. An endowed property may not be divided or sorted out between the beneficiaries who may not dispose of, mortgage, execute against or establish any original or ancillary in-kind right for the interest of a third party. Every disposal in this regard shall be valid only to the extent specified by Law.
2. An endowed property shall not be included in the bankruptcy of the Settlor or the beneficiary, and may not be attached to repay any debt owed by any of them.
3. An endowed property may not be encroached or confiscated except within the limits of the law. In this case, the competent authority shall manage it and spend its proceeds on the acts of charity.
4. An endowed property may not be owned or its proceeds may not be seized except for the public interest in exchange for fair compensation. In the case of the beneficiaries' extinction or the end the Settlor's descendants, the endowed property's proceeds shall devolve to the competent authority to use it in the acts of charity.

Article (28)

Eliminating Waqf Encroachment

The competent authority shall legally eliminate the encroachment upon Waqf which is administered thereby, without prejudice to Waqf owed rights and compensations.

Article (29)

Punishment for Misappropriation of the Endowed Property or its Proceeds

Without prejudice to any more severe penalty prescribed in any other law, and without prejudice to the provision of Article (17) of this Law, whoever misappropriates the endowed

property or its proceeds shall be punished by imprisonment for a period not less than a year and/or a fine of not less than (AED 50,000) fifty thousand dirhams, and shall be obliged to return the same.

Article (30)

Expiry of Waqf

1. Subject to the Provisions of this Law and its Executive Regulations, Waqf shall expire in any of the following cases:
 - a. Expiry of the Waqf term specified in the Waqf certificate;
 - b. Achieving the Waqf purpose mentioned in the Waqf certificate;
 - c. Extinction of the beneficiaries regarding the family Waqf;
 - d. The Settlor reverts his Waqf if he stipulates the same in the certificate, and Waqf is not permanent.
 - e. If the Waqf properties break down or in the case of failure to maintain, sell, replace or benefit from the same in a manner that ensures the appropriate proceeds for the beneficiaries; or
 - f. If Waqf is invalid. Such case shall be established by a final court judgment.
2. If Waqf expires, the endowed property shall return to the Settlor whether he is alive or to his successors if he is dead. If he has no successors, the Waqf shall be charitable, and the competent shall manage it and spend its income.
3. The expiry or invalidation of Waqf shall not affect the rights resulted from it to a third party in the period prior to the issuance of the final judgment terminating or invalidating it if this third party is a bona fide party.

Article (31)

Waqf Foundation

Natural and legal persons may establish non-profit Waqf foundations which manage and use Waqf proceeds to finance the programs, initiatives and activities allocated to them. Such Waqf foundations shall have an independent legal personality, shall be given a permit to practice their activity and shall be supervised and controlled by the competent authority, according to the regulations, conditions and procedures stipulated in the Executive Regulations of this Law.

Article (32)

Waqf of Family Companies

1. Family Waqf may be established for the purpose of owning family companies, taking into account the following matters:
 - a. The endowed property shall consist of stocks and shares of the family company;
 - b. The articles of association of the family company shall be amended in accordance with the change made to its ownership; and
 - c. The Waqf shall not violate the provisions of Article (8) of this Law.
2. The director of the family company may be the family company Waqf's trustee, and shall be subject to the provisions of this Law.
3. Any beneficiary in the family company Waqf may not ask for sorting out or taking his entitlements out of Waqf, only in the extent prescribed in the certificate of Waqf.
4. The family company Waqf may be temporary for the period stipulated in the Waqf certificate, and the beneficiaries or their successors who jointly possess not less than three-fourths of the Waqf benefits, may agree upon extending this period before its expiry to other equivalent periods unless otherwise prescribed in the Waqf certificate;

5. The family companies' endowments where the right of taking advantage of its proceeds is exclusive to the citizens of the State shall have the same rights enjoyed by the citizens of the State or the companies wholly owned by them, under the applicable laws in the State.

Article (33)

Capacity of Judicial Officers

The employees, designated by virtue of a resolution from the Minister of Justice in agreement with the head of the competent authority, shall have the capacity of judicial officers to investigate the actions committed in violation of the provision of this Law, and the regulations and decisions issued hereby.

Final Provisions

Article (34)

Arbitration and Conciliation

Waqf lawsuits may not be subject to arbitration and conciliation without the permission of the competent authority for the property administered thereby according to the Provisions of this Law or the permission of the competent court, or if there is a special provision stipulated in the Waqf certificate permits the same. Arbitration is not permitted in matters in which conciliation is not permitted.

Article (35)

Role of the Competent Court

The competent court shall be entrusted with hearing any dispute related to Waqf or arising from the application of the provisions of this Law. The court shall notify the the competent

authority of the action in order to express its views and submit documents in its possession.

Article (36)

Hearing the Action

A Waqf action shall not be heard in case of denial, revocation, change its disbursement channels and conditions, disentitlement thereto, or replacement thereof, unless by a certificate issued by the competent court and registered in the Register, provided that such certificate includes all the prescribed date according to the provisions of this Law and its Executive Regulations, excluding the dispositions performed before the entry into force of the provisions of this Law.

Article (37)

Adjustment of Affairs

Endowments established in the State before the entry into force of the provisions of this Law shall be adjust their affairs in line with its provisions, within one year from the date of entry into force hereof. This period shall be extendable for other periods by virtue of a resolution issued by the Cabinet.

Article (38)

Executive Regulations

The Cabinet shall issue the Executive Regulations of this Law within six months from the date of entry into force hereof.

Article (39)

Repeals

Any provision contrary to or inconsistent with the provisions of this Law is hereby repealed.

Article (40)

Publication and Entry into Force

This Law shall be published in the Official Gazette and shall enter into force from the day following the date of publication thereof.

Khalifa Bin Zayed Al Nahyan

President of the United Arab Emirates

Issued by Us at the Presidential Palace in Abu Dhabi:

Dated: 17th Shabaan 1439 AH.

Corresponding to: 3rd May 2018 AD.