

SPECIAL ISSUE

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THE *WAQF* BILL, 2019

A Bill for

AN ACT of Parliament to provide for the establishment of the *Waqf* Commission; to provide for the administration of *waqf* property and for connected purposes

ENACTED by the Parliament of Kenya, as follows—

PART I—PRELIMINARY

1. This Act may be cited as the *Waqf* Act, 2019.

Short title.

2. In this Act, except where the context otherwise requires—

Interpretation.

“*alim*” means a Muslim scholar;

“Commission” means the *Waqf* Commission established under section 5;

“Director-General” means the Director-General appointed under section 11 (1);

“general administration account” means an account whose funds are used for the general administration and management of the Commission;

“maintenance and reserve account” means an account whose funds are used for preservation and maintenance of *waqf* property;

“surplus account” means the account established under section 24;

“Muslim” means a person who professes the Islamic faith;

“trustee” means a person, whether alone or jointly with another, administering any *waqf* property;

“*waaqif*” means a person who endows his property or cash as the subject of a *waqf*;

“*waqf*” means a religious, charitable or benevolent endowment or dedication of any property in accordance with Islamic law, and “*awqaf*” means more than one *waqf*;

“*waqf ahli*” means a *waqf* made for the benefit of an individual or a family, or for the performance of a rite or ceremony that is recognised by Islamic law;