SHARIA PRINCIPLES IN IMPLEMENTING CORPORATE WAQF

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ABSTRACT

This article explores the compelling paradigm of fiqh as the legal foundation in the development of corporate waqf and identifies the characteristics of corporate waqf. The existence of new entities in the form of a corporation in the development of waqf currently requires a strong foundation, especially from the legal aspect, so it is necessary to explore the concepts of existing waqf. By conducting a series of in-depth interviews with muftis in Indonesia and Malaysia, reviewing the documentation of the fatwa and FGD with the Badan Wakaf Indonesia, Waqaf An-Nur Corporation J-Corp and Awqaf Holding Malaysia, this article reports on the Islamic legal principles on corporate waqf entity. Contextual interpretation of waqf concepts such as the pillars of the development of waqf corporation are: the share as *mauquf bih*, corporate entities as *nazir*, *waqf mustarak*, *istibdal waqf*, *waqf li nafishi*, and the administrative of share waqf. There are three characteristics of corporate waqf: a kind of asset management of productive waqf, a joint share corporation based waqf and an entity nazhir integrated one. Corporate waqf is very important as a breakthrough in efforts to create institutions capable of managing the assets and benefits of waqf sustainably.

INTRODUCTION

Waqf has proven to be a socioeconomic institution that is developing all the time, being dynamic both in the development of theory and in practice, especially in the finance sector. Various assets and practices of waqf provide creative space for the dynamics of law in the sectors of economics and finance. Zakat is unlike Waqf as there is consensus among Islamic jurists which state that non-Muslims can be beneficiaries of public waqf (Hoexter, 2002). Besides, non-Muslims can also be donors in the practice of waqf. Waqf usually involves immovable properties, usually things like buildings or land, meant for beneficiaries, both general and specific. Cash waqf was introduced by the Ottoman Empire. Their Islamic jurists approved such practice through the issue of a fatwa (Alias & Cizakca, 2014). Cash waqf and the rapid development and proliferation of it has provided new ways for expanding the roles of waqf. This led to the development of Waqf financial assets that provided opportunities for income from shares. Corporate bodies which have engaged with the practice of waqf have made the field of finance and commerce more dynamic and vibrant. Corporate waqf is something new in the field of waqf, considered very contemporary. Cash waqf is associated to corporate waqf. There have been however initiatives taken to establish waqf as an independent entity and concept. Corporate waqf , experts believe must be in a category of independent waqf because of the characteristics which make them distinguishable from other forms – that which broadens the understanding and concept of waqf (Ramli & Jalil, 2013b). This is an attempt to rejuvenate the institution of waqf in Islamic countries as corporate entity. Corporate waqf has been developed in some countries; Turkey, Singapore, Bangladesh, Malaysia, India and Pakistan. Corporate waqf, which has been a fairly new development and made popular due to its many attractions refers to charitable donations, the asset base of which consists of shares in a corporate entity. Corporate waqf is a term of reference in Islamic beliefs, something from a traditional setting that leads to charitable purposes, and which lead donors into putting assets into an waqf fund with returns allocated to beneficiaries specified (Cizakca, 1998). The main features of this would be issued shares, limited liabilities, and established governance models. The corporate waqf arrangements allow one to transfer / share ownership in the corporate to a charitable foundation. The right to choose to share is usually transferred to one or several trustees (Mutawalli) and dividends which are then allocated to the specified recipients.

In the sixties, in Turkey, there began the development of corporate entities which established, managed and distributed waqf to beneficiaries. The first corporate organization that established and administered waqf property was Koc Holdings and this was done in 1969 (Cizakca, 2014). Koc Holdings awarded 10,000 corporate shares and entrusted it to the Koc Foundation as trustees (*Nazir*). The majority of the fund's waqf, managed by Koc Foundation was allocated to the development of educational entities. Koc University was one of the institutions developed through this initiative.

Recognizing the enormous possibilities in cash mobilization, through cash waqf for the socio-economic improvement of the Muslim community, (which has especially in rural areas been marginalized), inspired Islamic Bank Bangladesh Limited (IBBL) to develop the cash waqf certificate, which was issued in 1997 (Mannan, 1999). IBBL became the first financial institution dealing with management of waqf assets in cash. The reason for the issue of the certificate of cash waqf was to accumulate waqf funds, the ultimate aim of which was to channel the proceeds to the less able. IBBL established itself as a pioneer in the formation and management of money waqf instruments and as a result became a respected global player. Dompet Dhuafa Republika, which was developed in 1993 changed the way the Muslim community viewed the management of waqf in Indonesia. Dompet Dhuafa Repubika is a nonprofit organization professionally managed to collect waqf cash through Tabung Wakaf Indonesia. The collection of the Tabung Wakaf Indonesia increased year by year and this was due to strong governance, efficiency and accountability. This resulted in the development of a new channel through which the nation could improve the socio-economic status of designated beneficiaries (Candra & Ab Rahman, 2010).

Waqf assets, predominantly in the form of corporate shares and cash have been developed in several other South East Asian countries, and this is especially evident in Malaysia, the official religion of which is Islam (Ismail Abdel Mohsin, 2014). Corporate waqf was initiated in 2006 by the Johor Corporation (JCorp), which transformed the practice of waqf in Malaysia. Waqf assets, for the first time were issued in the form of corporate shares and then managed by a legal entity. Tan Sri Muhammad Ali Hashim, the founder of this entity, triggered off the idea of creating corporate waqf which was borrowed from the business idea of jihad which resonates with the ideals of the New Economic Policy and the uplifting of the socio-economic status of the indigenous population, the Malays in the Malaysia (Hashim, n.d.). The structure of the corporate waqf started with a guarantee of RM200 million in shares as waqf to WANCORP; a subsidiary of JCorp which acted as *Nazir*. The role of WANCORP was to effectively manage and distribute waqf earnings to beneficiaries which have been stated in the waqf deed. There are several other institutions who developed such enterprises. The Selangor Muamalat Wakaf in collaboration with an Islamic commercial bank, the Muamalat Malaysia Berhad Bank (BMMB), and the state-owned waqf management agency, Perbadanan Selangor Wakad Wakaf (PWS) also started operations (Ramli & Jalil, 2013a). The bank began collecting waqf funds from individuals and institutions. Then, together with membership fees from BMMB and PWS they managed waqf funds which were then diverted investment returns into deserving sectors, namely, education and health. This arrangement which, people in the field of banking and finance claim is corporate waqf can be justified on the grounds that it was founded by the BMMB, a corporate institution (as the parent body) and its investment unit, Muamalat Invest Sdn. Bhd.

In terms of organizational features, waqf companies remain varied in their operational functions. Shares in corporations or companies are provided by individuals or entities. They fall into broad sectors, from investment in industrial conglomerates to travel agents specializing in religious tours. The shares of waqf in corporate entities range from a small or minority percentage to sometimes majority or even full ownership. Corporate waqf is usually established by the corporate's founder, individual shareholders, or in some cases, government entities. Government regulations range from exercising complete control over waqf assets to providing, in many cases, limited supervision by trustees so as to prevent managerial abuse of funds and practices. There are some core or main features which are considered consistent (also regarded as constants) which have been noted off in various corporate waqf entities: the endurance and commitment in the character of the foundation, the divestment of ownership from the original shareholders, the management of shares which have been endowed by non-profit entities, and the allocation of returns which have to be channeled to charitable foundations (Hasbullah & Khairi, 2014).

Corporate Waqf has had virtually no attention in the world until now, so a comprehensive theory and mainstream model of waqf companies has not been developed . The participation of corporate entities in the building and managing of waqf assets was also initiated in Pakistan, Singapore and Turkey (Ismail Abdel Mohsin, 2009). The involvement of corporate bodies in what is widely considered now as noble philanthropic activity shows how social awareness and the sense of inclusivity in the concept of shared prosperity has further expanded the horizons and dimensions of business ethics. Dividends reaped from shares were then reinvested, and then eventually used for charitable activities throughout Malaysia. Through this waqf scheme Johor Corporation Berhad (JCorp), fulfilled its Corporate Social Responsibility goals through the implementation of their CSR programs which were directed by the Waqf An Nur Corporation Berhad (Ramli & Jalil, 2013a).

Singapore has successfully developed its waqf management to very high levels by making the country's waqf assets more productive. The Islamic Assembly of Singapore (MUIS) which is in charge of Islamic Affairs, allocates funds from the sale of its property assets to be channeled towards 60 receipients, mosques, madrasa and other organizations. Warees Investments Pte Ltd manages the MUIS (Majlis Ugama Islam Singapore) waqf property assets in Singapore. They introduced the Islamic concept villa. All the waqf management assets have been handed over and officially mandated to the Majlis Ugama Islam Singapore (MUIS). MUIS plays the important and major role in safeguarding all waqf assets in Singapore (Ramli & Jalil, 2013b). In fact, MUIS manages solely, all waqf assets in Singapore.

All waqf developments which involve corporate entities should be constantly evaluated so that evolving waqf practice framework will become common. This is seen as making waqf developments more accountable as they should be considered fairly new in banking and finance, hence the need for constant monitoring.

This article explains in detail the basis and principles of fiqh as the legal foundation in the development of corporate waqf and identifies various characteristics of the implementation of corporate waqf.

METHOD

This article answers two important questions, namely describing the principles of sharia as legal foundation for the development of corporate waqf and identifying the characteristics of corporate waqf. To answer the first question, the method used was field research by conducting a series of in-depth interviews with muftis in the two countries, Malaysia and Indonesia. In Indonesia it was with the Komisi Fatwa Majelis Ulama Indonesia (MUI) and Dewan Syariah Nasional (DSN) MUI, while in Malaysia with Malaysian muftis in Negeri Selangor, Johor, Wilayah Persekutuan, and in JAWHAR. The method of documenting the results of fatwas from the muftis was also carried out to strengthen the research findings. To answer the second question on the characteristics of corporate waqf, the method used was by conducting FGD on corporate waqf entities in Indonesia; the BWI and Global Waqf as well as in Malaysia namely; the J-Corp, An-Nur Corporation, and Awqaf Holding Company. FGD was conducted during three months from July, August to September 2019. Data was extracted then analyzed qualitatively descriptively using Miles-Huberman data analysis approach consisting data reduction, display, data verification and conclusions (Miles et al., 1994). The results of the data were also triangulated and validated by scholars at the University of Malaya APIUM and UIN Sunan Kalijaga Yogyakarta.

RESULT AND DISCUSSION

Compelling Shift-Paradigm on Sharia as Legal Foundation for Corporate Waqf

There are six principles of development of corporate waqf according to mufties; Anwar, Jaih, Hoirul and Khairudin (Interview, 2019), namely: *share as mauquf bih,* corporate waqf as *nazir* entity*; shakhsiyyah ahliyyah (legal capacity)* and *region (legal authority), waqf li nafsihi,waqf mustrak, istibdal waqf*, and administration of waqf share assets.

Waqf shares are *mauquf bih* better understood as an effort to create new assets in the development of waqf, especially corporate waqf. Ensuring shares as a new waqf asset (*mauquf bih*) becomes an urgent matter and this is the first sharia principle. This shows waqf shares as an attractive alternative asset for waqf and has great potential in developing waqf sustainably (Mohammad & Sabit, 2006). The development of waqf assets always develops. In previous eras, cash waqf was waqf assets that were developed. However, in the past decade, waqf assets have grown, including the waqf shares of corporate entities.

Figure 1.
Six Sharia Principles in the Corporate Waqf Entity

The second principle is the corporation as a new entity managing waqf (*nazir*). The donor in normal waqf is an individual (*shakhsiyyah haqiqiyyah* or *tabiiyyah*). In corporate waqf, however, it is usually an entity, an institution. Thus, the concept of an individual or legal entity (*shakhsiyyah ihtibariyyah / qanuniyyah / ma'nawiyyah*) examines the necessity of the vowel waqf. Almost all contemporary Islamic jurists agreed to recognize this concept as based on the association with the analogy, that of the *Bayt al-mal*, *mosques* and the institution of slavery, things can be considered to have been resolved. Two most important requirements that are important and have to be emphasized are that the representative of *ihtibariyyah shakhsiyyah* must consist *experts* (legal capacity) and have *territory* (legal authority). The significance of the second requirement is that the donor must be the owner of the subject or the agent (*representative*) who is appointed by the owner who draws out the contract which is based on the *wakalah* contract. If the donor does not have *region* or *wakalah* on the subject, its transactions would be considered *fadalah* in Islamic jurisprudence. Hanafiyyah, Malikiyyah and the contract validates the opinion of Imam Ahmad *fadalah* but is then deferred and it follows to the owner's consent. Shafiiyyah, Imam Malik and Imam Ahmad, however state that the contract would be unacceptable or invalid (Ramli & Jalil, 2013b). There is a general feeling that if corporate planning is to make its own waqf scheme and is owned by the government and not by individuals there would be more problems.

The transformation of waqf self-management skills (*waqf li nafsih*) becomes the third sharia principle. In general, the practice of waqf is defined as charity and *qurbah*. Thus, most of the Islamic jurists state that the ownership of waqf must not return to waqf itself because it is related to the original intentions and motives of waqf . Some corporate waqf, however, nominate waqif itself as the legitimate owner of their waqf . Mainstream attitudes of Islamic jurists on this issue consider this to be illegitimate because *waqif* cannot have back what it already has. These are reactions from al-Malikiyyah, al-Shafiiyyah in their very strong views (*al-asahh*), the official view of al-Hanabilah (*al-madhhab*) as well as those of Muhammad Ibn al-Hasan from al-Hanafiyyah. This practice is however sanctioned and approved by Abu Yusuf of al-Hanafiyyah, and in their formal response (al-Hanafiyyah), in al-Shafiiyyah's opinions and al-Imam Ahmad's view (Ramli & Jalil, 2013b).

The practice of corporate, according to that second argument clarifies that waqf does not have real intentions to return the assets of waqf. The reason for this aplication was to give financial institutions full flexibility and the freedom to manage, distribute and deliver returns on waqf and even use it. CSR programs of institutions can use returns from corporate's waqf and in some contexts, reuse or reallocate the returns to maintain their businesses. Businesses will have greater inspiration and motivation, given the freedom and greater flexibility to engage in corporate waqf and this will provide more encouragement for enterprises making Sharia compliance a reality. This may, however be legally at odds to the existing legal framework, which provides a lot more credibility in terms of Sharia compliance. There would exist situations where the waqf establishes itself as the sole beneficiary or sometimes the main beneficiary or be listed among the beneficiaries of the waqf. Hanabilah, Hanafiyyah and

Shafiiyyah are of the view that such practices are sanctioned so as allow people to start waqf and this is actually based on some Shariah evidence. Shafiiyyah and Muhammad Ibn al-Hasan from Hanafiyyah nonetheless, viewed such practices as generally not permitted. However they claim that they could be permitted under certain exceptions (Ramli & Jalil, 2013a).

The fourth principle is *waqf mustarak*. In terms of beneficiaries, *waqf* can be either *khayri waqf* (charitable donations) or *expert waqf / dhurri* (waqf for offspring). It has been found that some institutions list themselves or their subsidiaries as the main beneficiaries of waqf. Some Islamic jurists approve this practice. Fiqh, when referred to states that the combination of *waqf khayri* and *waqf dhurri is* known as *waqf mustarak*. From the viewpoint of management, *waqf mustarak* is meant to provide benefits to institutions involved in corporate waqf to fulfill social responsibility goals. Institutions must be allowed to develop and manage corporate waqf schemes to be in line with their CSR programs. Thus, corporate waqf and CSR program practices can be developed to form a mutually beneficial relationship (Ramli & Jalil, 2013b).

The fifth principle is the implementation of sharia *istibdal waqf* / exchange asset and to make it more flexible. *Istibdal* is crucial for the sustainability of corporate waqf. In practice, while *istibdal* has been approved conditionally by some scholars of Islamic law it must be reexamined to ensure that there is compliance to syariah law in implementation. The corporate waqf model which was developed and implemented in WANCorp has gone through the practice of *Istibdal*, where the replacement of waqf assets with the principle of profit compensation has been implemented. The sixth Islamic principle is the management of waqf share administration. The administration of waqf shares is important in the context of waqf asset monitoring and protection procedures. Waqf shares are potential assets in developing waqf in a sustainable manner. Therefore, the asset protection waqf in the form of shares is to be arranged in cooperation with the financial services authority and *nazir* (Abdul-Karim, 2010).

For developing contemporary waqf, the existence of fatwa is very important. Existence of a fatwa is emphasized as having an identity, so that it becomes attractive. Moreover, a growing number of legal cases are emerging that demand a ruling relevant to the context of social change itself (Moustafa & Sachs, 2018). Fatwa should: *First*, come as a result of optimal transfer of knowledge. This means that an accurate and highly effective fatwa is a fatwa born out of the mobilization of ijtihad capabilities supported by other scientific devices. *Second*, the law cannot remember *zhanni* as law *qath'i*. *Third*, the fatwa cannot be influenced by modern reality. This means that personal or collective decisions must be able to maintain their authority in the production of the fatwa, not to be subject to the intimidation of reality in modern society (Moustafa, 2013).

In fact, basically, waqf instruments are no less strategic for community empowerment, national economic development, and social welfare (Kuran, 2001). The strategic value of waqf can also be seen from the management side. If zakat is intended to ensure the continued fulfilment of basic needs to the 8 groups, then waqf must be more than that. It is more inclusive. The results of the management of waqf can be used by various levels of society, without classifications, for social welfare, empowerment, and building capacity of the people. Therefore, the virtue of waqf lies in its intact or eternal wealth, and its benefits which continue to multiply and flow forever (Huda, 2019). Therefore, the rewards of waqfs will not be interrupted even though the waqfs have passed on.

Thus, waqf has two inseparable benefit dimensions, namely improving the quality of people's lives by distributing the returns of management and the returns of investment that are planted in the world to be picked in the hereafter. Therefore, waqfs are also referred to as social worship. This is a type of worship that is more oriented to the human relations with humans and their environment, or commonly called social piety. To represent oneself as a Muslim is a realization of worship to Allah through his possessions, namely by releasing the objects he owns *(private benefit)* for the public benefit *(social benefit)*. It is, at this point that the reward of waqf continues to flow (Obaidullah, 2016).
Other forms of productive waqfs; shares as goods are deemed able to stimulate the returns - returns that can be used for the benefit of the people. In fact, with large capital, stocks are able to make a large contribution compared to other types of trading commodities (Perez et al., 2009). In a corporate entity, an entrepreneur can specify the allocation of a portion of his shares as waqf property the returns / dividends of which are diverted towards the benefit of the people. Waqf shares may also be taken from the profits of all shares owned by the owner. It all depends on the wishes of the shareholder. Therefore, what matters is not large or nominal small stock returns, but rather on the commitment to the welfare of the Muslims.

Waqf shares have several legal consequences, namely: First, the origin of shares which represents profits from shares that are not traded on a stock exchange. A *Nazir* may not transact except for benefit or in accordance with the conditions submitted for *waqfs*. He is subject to the sharia law which is explicit in the ownership change procedures. Second, if the corporate pays off or pays the price of its securities, then it may replace it with other waqf principal such as buildings, shares and other securities (with the conditions given in *waqf* or based on the benefit returned to the representative). Third, if the waqf is temporary based on the wish of the *waqf* then it will be fulfilled according to the conditions; Fourth, if the money is invested to purchase the shares or other securities or such, then the shares and securities will not be a waqf property and may be sold for more investment profits for the benefit of waqf. The origin of that amount of money is then the property of the waqf (Khairi et al., 2014).

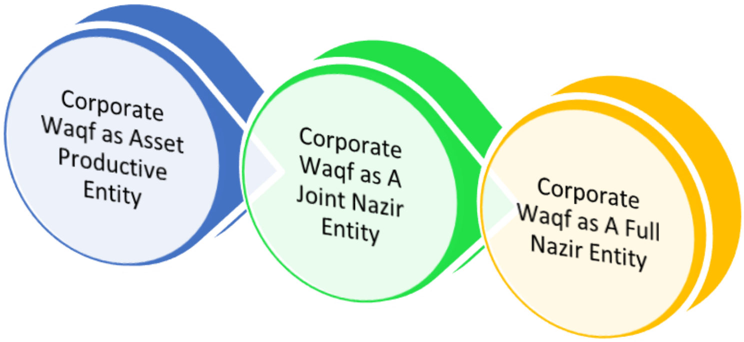
Another thing that must be considered in the waqf of shares is that the shares represented must be shares for companies engaged in the fields allowed by religion. Then it cannot be related to shares of companies engaged in the production of liquor, for example. During this time, many Muslims still think that waqf assets can only be used for religious purposes only. For example, the construction of mosques, cemetery complexes, orphanages, and educational institutions. It is possible that on a waqf land a shopping centre will be built, the profits of which will later be allocated for scholarships for needy children, free health services, or scientific research. This is also part of worship. In addition, the understanding of waqf items is still narrow. Treasures that can be represented are still understood to be limited to immovable objects, such as land. Though waqf can also be in the form of movable objects, including money, precious metals, securities, vehicles, intellectual property rights, and rental rights (Kuran, 2001).

Characteristics of Corporate Waqf Practices

There are various aplications of corporate waqf practices according to Tuan Sahar, Azrul and Jefrie (Intervew, 2019). The relationship between waqf management and corporate institutions cannot be denied. Efforts to create the management of waqf, and continuing to provide benefits for waqf development have revealed the importance of waqf (Huda, 2015). But in some applications and understanding of the meaning of waqf corporations differ in their interpretation and implementation.

First, the corporate waqf is understood as an effort to manage waqf assets by Nazir by cooperating with corporate institutions. This means that corporate entities are only in the context of third parties who develop waqf assets from *Nazir* (Candra & Ab Rahman, 2010). Second, the corporate waqf is understood as an effort to develop waqf by collecting waqf shares from various companies in its own corporate entity. This is like what the Johor corporate did by creating a waqf. An Nur Corporation was created as corporate waqf (Mahmood & Shafiai, 2013). Third is an effort to develop waqf shares by creating a corporate entity that manages independently and fully waqf share assets (Aziz, 2017).

Figure 2.
Three Characteristics of Corporate Waqf Practices



The corporate Waqf encompasses *Sharia* dialectic and modern corporate law. It offers a unique hybridization of two differing legal traditions. The context of the origins of corporate waqf jurisprudence and the modern legal codes that govern it today will be discussed next. This view of Islamic doctrine offers insight into the goals of corporate waqf, and identifies parameters that define and limit its institutional design (Saad, 2019).

Waqf institutions emerged and evolved in early Islam ((Hennigan, 2004). Legal theory underlying waqf promotes the goodness of the heart and qualities that hold charity highly as ways of satisfying religious obligations. Waqf arrangements, however, can also be abused as people look towards wanting to achieve worldly goals, which include tax avoidance or violation. Some people also fault in the distribution of assets, which are not according to sharia requirements for inheritance, or in the protection of assets from misuse or mismanagement by future generations. Waqf arrangements allow separation of ownership from usufructuary rights and provide revenue sharing in usufructuary rights for beneficiaries. A *waqif* (founder of waqf), who must be the owner of a blessed asset, can put his assets into waqf (Abbasi, 2012). Classical Islamic jurists, believe that no party should have an interest in the properties of the waqf itself and the beneficiaries only have an interest in the use of waqf only.

Waqif is supreme when determining waqf pre-conditions, such as in the appointment of the *Mutawalli*, the beneficiaries, and determining all matters related to waqf so that there is no conflict with requirements of *Sharia*. The waqf instrument can allow *Waqif* , or to *Waqif* and *mutawallis* , the right to change terms related to the use of usufructuary rights or the appointment of beneficiaries (Saad, 2019).

The abovementioned “right” provides leeway to the *waqif* and *mutawalli* to adjust waqf to new situations arising during implementation of waqf. There is some form of institutional certainty and permanence seen in waqf which takes into consideration the possibility that there will be unforeseen circumstances to confront. The waqf instrument has the capacity to appoint the mutawalli. The *qadi* or judge can also do the appointment. The *Mutawalli is* usually in charge of administering the provisions of waqf instruments, protecting waqf assets, and distributing the proceeds among the designated beneficiaries (Abbasi, 2012). Unlike the Anglo-Saxon system, the *mutawalli* has administrative rights but does not have ownership rights and there are no claims for ownership of waqf assets. The *waqif* must explicitly specify both verbally and in writing when the waqf is created. The waqf can take different forms: *waqf dhurri* (family *waqf*) stoke earnings for the children’s founders and their descendants, *waqf khayri* (deed *waqf*) as back up income used for charitable purposes, and in the set-up of hybrids that combine both *waqf dhurri* and *waqf khayri* (Mohsin, 2010). The school of fiqh had on some occasions differed on the type of property that could be used to develop waqf. There are some interpretations that impose limitations for grounded property or for certain types of movable property (Mohsin, 2010). Some classical jurists legitimized cash waqf (Suhrawardy, 1911) in the early ninth century, in the mid-sixteenth century. It was Ottoman however who pioneered the creation of waqf with original capital. This was in part or wholly composed entirely of cash (Mandaville, 1979). In the course of the 20th century, waqf shares were introduced and developed in Iran, Egypt, Lebanon, India, Pakistan, Bangladesh, Turkey, and Malaysia (Cizakca, 2011).

CONCLUSION

All waqf enterprises which involve corporate entities must be re-evaluated so as to move towards the development of a framework for emerging waqf practices. Corporate waqf should be visualized as modern and dynamic waqf with active roles for professionals who are determined to be efficient and accountable. Therefore there is a need for the conceptualization of sharia over corporate waqf and as effort to underlie the implementation of corporate waqf today. The pillars of sharia in the context of the development of waqf companies are as follows: ensuring as legitimate new waqf assets, the legal certainty that the corporation as a new entity managing waqf, the permissibility of using hybrid Awqaf as a function of the waqf, implementation *istibdal waqf* / exchange assets being more flexible and easier, the transformation of self-management ability, awqaf, and the administration of waqf shares by financial authorities. The characteristics of the application of corporate waqf are divided into three characters, namely: corporate waqf as a type of productive waqf asset management, a combination of corporations based on waqf shares and corporate waqf corporate as nazir entities in an integrated manner. The development of corporate waqf is a breakthrough in efforts to create institutions capable of managing the assets and benefits of waqf in a sustainable manner.

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