

## **Aid Institutions / Jamaats**

### **"Conditional Gift to Aid Institution - Agreement" - draft**

Many individuals, at later stages in life keep savings with themselves in bank accounts, for the fear of needing it in an emergency. These could be mainly Medical or Natural disaster etc. affecting oneself or family members.

The rationale is to be prudent & not having to ask others for help. This is possibly not against Tawakkul too.

However this becomes part of the Inheritance at death and 2/3 gets distributed to heirs, & 1/3 only as per will, despite the intention being to use it for good causes instead of leaving it as inheritance.

In order to overcome this situation & provide a practical safety net, (like insurance) a conditional Agreement is proposed, between the Donor /Gifter & the recipient Aid institution as drafted in the attachment

There are benefits for both the donor & the institution & can become a regular income source for institutions if propagated.

In case of the rare eventuality arising, the Institution will need to raise /allocate the necessary funds as the gift amount would have been spent, However that should not be v difficult for an institution & there would be other sources for example other newer such gifts.

The Aid institution is also much better placed than an insurance company is as it gets 100% premium in advance & has a max liability of 100% of premium

Kindly confirm this is a valid agreement from sharia & whether WF /Any Jamaat can accept such a condition & the amount.

**"Conditional Gift to Institution -Agreement" draft**

**Agreement between Mr xxxxx ( id no ... ) ( called ABC ) & " Benevolent -Aid /Charity/Foundation /Trust "(called INST) established under the laws of ... country having its office at ...**

ABC hereby gifts an amount of Gbp/Usd/INR etc xxxx to .INST

The Gift is to be used by INST for purposes listed below:

a) Orphans.... b) Widows... c)Education.... d) Medical aid... e)Tabligh ...

The gift is **conditional** to the INST providing Financial aid when required & requested by ABC or his family ( listed below) as enumerated below:-

- i) to overcome circumstances arising out of an emergency for example ;Medical , Natural disaster etc.
- ii) to ABC & his family members affected
- iii) upto the amount gifted, and
- iv) it being not feasible to meet the financial requirements from ABC's own sources,without causing much hardship

The assessment ( if required, or disputed) of the; Need &,ability to meet it from other sources, will be done jointly by the trustees of INST and a Mujtahid aged above with x years in howza studies

Upon the death of ABC the agreement will end & the amount will be retained by the INST

This amount is gifted to INST & hence for clarity of all, does not form part of the wealth & inheritance of ABC at his death

**Family members list**

- 1.Wife
- 2.Son
- 3.Daughter
- etc.

Signed & Dated xxxxx

ABC

INST

Family members

- 1
- 2

Witness Mujtahid .....