

Conveyance Intervivos Trust (Hibah)

Gift Trust

Charitable Trust

Islamic Will

Estate Administration

Islamic Advisory Services

Structure of Fees



BIMB TRUST LIMITED

Islamic Will



This is an admission (*iqra*), affirmation or attestation of honour of a person made during his lifetime with respect to his property or benefit thereof, to be carried out for the purpose of charity, or for any other purpose permissible by Islamic law, after his death.

Will Writing & Custodian

- Islamic will writing or *Wasiyah* services incorporate the salient features as required in Islamic Will (i.e.: up to 1/3 portion of the assets to the non-beneficiary and balance 2/3 to family members upon the testator's demise).
- By writing a will, a probate will be granted by the legislative court where most of the demise's assets are held, thus reducing the distribution period.
- The will can be rewritten as frequently as the testator likes, as it's a document that can only become effective upon the testator's demise, whereby the most recent document will supersede the previous ones.
- Clients may choose BTL as the executor or joint executor of the will.
- BTL also provides custodian service, rewriting of will and other services, depending on client's request.
- Will writing and provision of custodian can even be offered to Malaysian residents, as long as clients do not appoint BTL as the executor/administrator of their assets in Malaysia.



Estate Administration

Estate administration is a service to manage the distribution of the deceased's assets to the beneficiaries. This involves all types of asset ownership including movable assets such as bank deposits, shares, automobiles, as well as immovable assets such as land and building.

BTL is able to administer estate under distribution, which can be testated (with will) estate, or intestated (without will) estate for both Muslims and non-Muslims.

To overcome the varieties of assets in various locations globally, BTL collaborates with domestic litigators or domestic trust companies at any country, where the asset or the demised client is located.

Islamic Advisory Services



BTL acts as an agent for *zakat* calculation and payment. It also acts as an advisory of *Fara'id* Laws of Distribution (according to *Mazhab Syafie'*).

Level 15(A), Main Office Tower, Financial Park Labuan,
Jalan Merdeka, 87000 Labuan I.O.F.C., Malaysia
Tel: (+6 087) 451 806 Fax: (+6 087) 451 808

www.bankislam.com.my

(Please click on 'Subsidiaries' to link to BIMB Trust Limited)

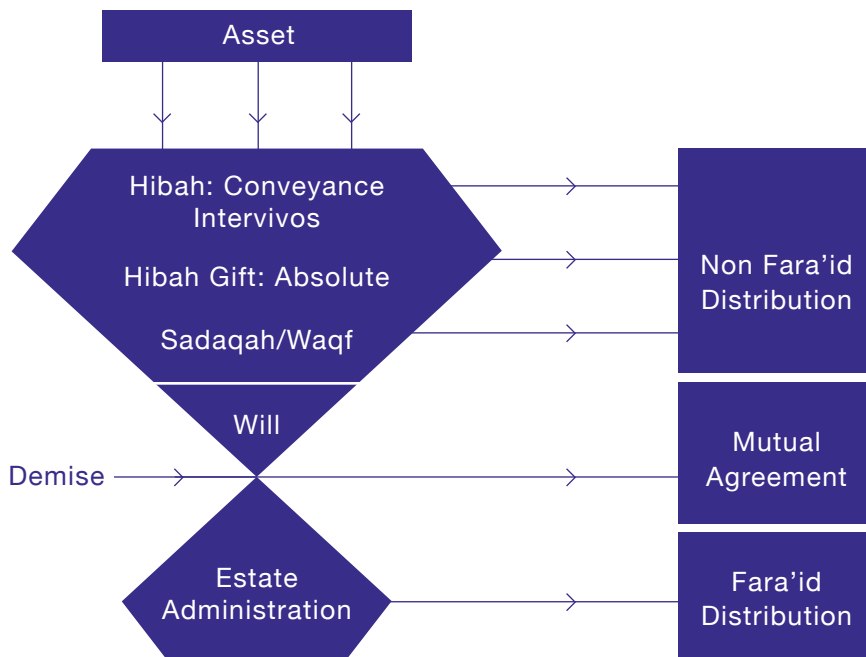
Member of Bank Islam Group



BIMB TRUST LIMITED
LL04013

A Registered Labuan Trust Company
(Registration No:-LT0031)

An Overview of
Islamic Trust
Products & Distributions

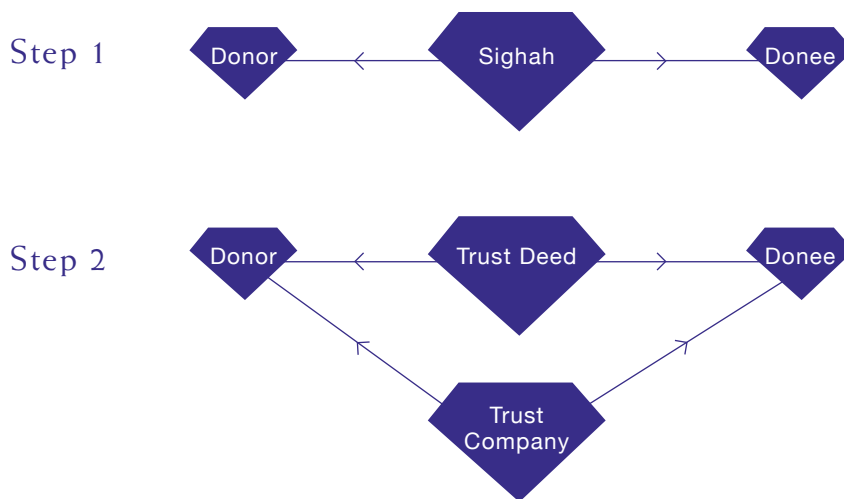


Assets Filtering Model

Conveyance Intervivos Trust (*Hibah*)



Hibah trust is the gift or transfer of ownership or conveyance of the asset from the Donor to the Beneficiary, made voluntary, without valuable consideration and during the lifetime of both the Donor and the Beneficiary.



Hibah's key unique selling point lies in the Trust Deed (*Umra* and *Ruqba*), which allows the Donor to revoke the *Hibah* by retracting all or some of the listed assets, but subjected to the Donee's consent. However, no consent from the Donee is required if they are the Donor's children and grandchildren.

Hibah trust features:

- *Umra* - Asset is to be transferred to Donee/Beneficiary after demise of the Donor/Settlor.
- *Ruqba* - Depends on events, if the Donor/Settlor dies first, the Donee/Beneficiary will get the asset, and vice versa.

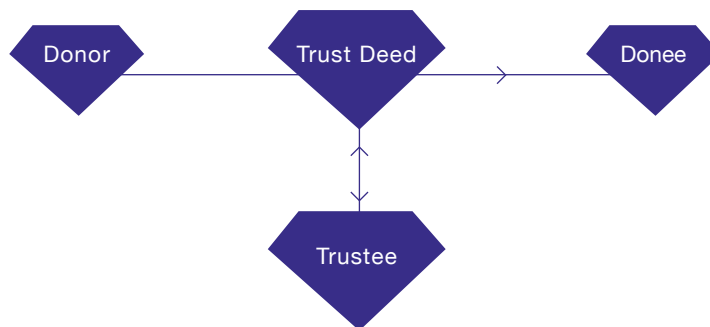
** Due to the conditions of umra and ruqba in the trust deed, the asset will be reverted back to the Donor/ Settlor. The conditions relate to the agreement of the Donee/Beneficiary, if he/she predeceases the Donor/ Settlor, the asset will be returned back to the Donor/Settlor.*

- Equitable distribution of assets to heirs, regardless of gender, including adopted children.
- A Muslim may *Hibah* his assets to a non-Muslim.
- A divorce does not nullify a *Hibah* unless with consent of Donee/Beneficiary or by order of the court.

Gift Trust

Gift trust has a wider term and is applicable to all transfers without consideration. It practises *inter vivos* – transfer must be accepted as a token of honour (i.e.: in conjunction with the Donor's birthday, anniversary, promotion, etc). It is done voluntarily, without condition or valuable consideration.

Normally set up for the benefit of successive family members as well as for the public, it can also be established for other various reasons, such as asset protection, charity, education and health.



1. The Donor/Settlor appoints a Trustee company via a Trust Deed to set up a trust fund, for the benefit of the ultimate Donee/Beneficiary.
2. The Donor/Settlor gives away the asset via the Gift trust to the Trustee, for the benefit of the named Donee/Beneficiary.
3. Trustee will accept the gift as given by the Donor/Settlor by agreeing to the Trust Deed.
4. The transaction is made between the Donor/Settlor and the Trustee. Donor/Settlor does not need to inform the Donee/Beneficiary about the gift.

Salient features of Gift trust:

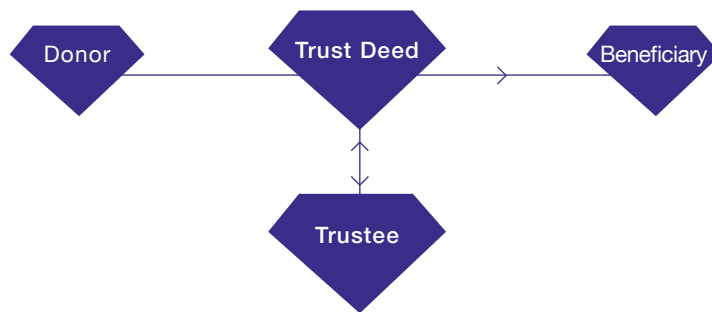
- The Donor/Settlor cannot retract or revoke the gift property, as it becomes the estate of the Donee.
 - However, if the Donee/Beneficiary has not taken delivery of the property, the Donor/Settlor can withdraw the gift.
 - If the Donee/Beneficiary dies after taking delivery, standard procedures for grant of representation will be necessary to distribute the gift property to the Donee's heirs, in accordance with *Fara'id*.
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Charitable Trust



Sadaqah Trust

Sadaqah trust is giving something to the needy with intentions of acquiring religious merits from *Allah*. It does not need *inter vivos*, and is done voluntarily without condition or valuable consideration.



1. The Donor/Settlor appoints the Trustee via a Trust Deed, to set up a trust fund for the benefit of the ultimate beneficiaries.
2. The Donor gives away the asset via the *Sadaqah* to the trustee for the benefit of the named beneficiary.
3. Trustee will sign the Trust Deed to ensure that the *Sadaqah* trust is created.
4. The transaction is made between the Donor and the Trustee. Beneficiary does not need to be informed of the gift by the Donor.

Waqf Trust

Waqf, translated from Arabic means detention, to prevent or to present. In the Islamic trust terminology, *waqf* simply refers to the dedication of assets for charitable or religious objects, either in express terms or by implication, or to secure any benefit to human beings. In sum, it is an endowment, charitable donation of the use of an asset for a specified cause.

Sadaqah vs *Waqf*

Sadaqah is similar to *Waqf*, but not entirely the same.

- *Sadaqah* is more private and purely charitable
- *Waqf* has both private and public intentions

