

**THE ISSUE OF HIBAH, WAQF, AND PROPERTY OF MUALLAF UNDER  
PROBATE AND ADMINISTRATION ACT 1959 :  
THE CONFLICT BETWEEN SYARI'AH AND CIVIL COURT**

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The students/authors confirm that the work submitted is their own and that appropriate credit has been given where reference has been made to the work of others.

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## **ABSTRACT**

This research is concerned with the jurisdictional disputes between the civil courts and the syari'ah courts. With changes and development on the issue of hibah, waqf and property of muallaf, this research is focused on the overlapping decision decided by the civil courts, in which it should not have meddle with as the issue pertaining to hibah, waqf and property of muallaf are under syari'ah courts' jurisdiction. Even with the existence of article 121 (1A), which triumphantly states that any matter under syari'ah courts is no longer the matter under the civil courts' jurisdiction, there are still disputes over the matters mentioned above. This research's main objective is to find to a solution where the separation of jurisdictional power will be adhered by the civil courts.

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