

THE APPLICATION OF BUILD, OPERATE AND TRANSFER CONTRACT IN MAJLIS AGAMA ISLAM WILAYAH PERSEKUTUAN MALAYSIA

**SAIDATOLAKMA MOHD YUNUS
AZMAN MOHD NOOR**



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This Build, Operate and Transfer (BOT) is a new concept applied in developing and constructing private and public infrastructures. It is a means of project financing and operating practiced primarily in the area of private infrastructure in developing countries. Recently, some waqf institutions have applied the BOT approach. The BOT structure gives a new direction in the field of waqf, as it enhances waqf property for public benefits. The involvement of waqf institution in developing its property and public infrastructures through BOT is a challenging exercise. The study examines the current practice of this contract in waqf institutions in general and in Majlis Agama Islam Wilayah Persekutuan with reference to the contracts applied in compliance with the principles of Shari'ah.

Saidatolakma Mohd Yunus graduated with Bachelor of Fiqh and Usul al Fiqh, Master of Fiqh and Usul al Fiqh, and Doctor of Philosophy in Islamic banking and Finance (Ph.D) from International Islamic University Malaysia. Currently, she joined the Kulliyah of Islamic Revealed Knowledge as a lecturer in the Department of Fiqh and Usul al-Fiqh. She has written several articles published in both local and international journal and has also presented papers at conferences in the area of Islamic banking and Islamic transaction and contract amongst them: Joint Ventures in Construction 2 (Contract, Governance, Performance and Risk) (London: ICE Publishing, 2012), Application of BOT Contract as a Means of Financing the Development of Waqf Land: Malaysia Experience (Arab Law Quarterly, 2014), Build, Operate and Transfer Contract and its Models from Shariah Perspectives (Arab Law Quarterly, 2014), Towards Banking Jurisprudence: Understanding Islamic Banking Products in Malaysia (International Journal of Academic research in Business and Social Sciences (IJARBSS), 2017). Her areas of interest include Islamic Banking and finance, purification of non-halal income in Islamic banks, Islamic financial transactions and contracts as well as Fiqh muamalat.

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