

# **AKTE NOTARIS TENTANG HIBAH DAN WASIAT BAGI SUBJEK HUKUM BERAGAMA ISLAM**

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**ISLAMIC LAW ; HIBAH**

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## **Abstract**

This analysis was grounded on main problem of deed about grant and will be based on Islamic Law. Grant or Hibah is a practice giving freely or properties movement performed when the Grant provider is still living. Will or wasiat is transfer of rights on particular property from someone to other(s) in voluntary way where which the implementation is suspended until the property's owner passed away. Will or wasiat is giving some good(s) from heir to other(s) or institution(s) which will be prevailed after the heir passed away. Will or wasiat is a law act thus it has provisions on it implementation. Will is performed by spoken way in front of two witnesses, or be written in front of two witnesses or in front of notary public. Basis of grant or hibah and will or wasiat by notary public quoted in Article 195 subsection 1) Islamic Law Compilation of make a Will way. Will or wasiat is performed by spoken in front of two witnesses, or be written in front of two witnesses or in front of notary public. Agreement in muamalah field should be differed with agreement in performing kitabiah (writing). Principle of law act based on syariah which should be applied in modern law practice. Notary public plays a role in documentation of every transaction.

**Keywords:** Wasiat, Hibah, Islamic Law