

## Children's Partnership in the Business of their Father♦

- 25.1 Islamic Shariah has enjoined upon Muslims to be fair in their dealings. So Muslims should be more particular in this regard. In business/trade it is of a paramount importance. A person is involved in business and his children also joined in their father's business. If the status/position of the children working with their father is determined at the very beginning (partner, worker or assistant) most of the family finds concerning ownership will be solved to a great extent. So steps should be taken to determine this position at the early stage.
- 25.2 If father had started his business with his own capital and some of his children joined his business but did not invest their own capital and father has not declared their position in his business, so if the children are dependent on their father, they will be deemed as assistant to their father in his business, other wise their wages would be fixed as per the prevailing rates and they will get the payment.
- 25.3 If the children have also invested capital in the business along with their father and the share of their investment is known, they would be deemed as partners and their share will be determined at the ratio of their invested money. Save that the son who invested money in the business had the intention to be his father's assistant and not as a partner.
- 25.4 If the son has started business with his own capital but as a token of respect, he lets his father to attend the business affairs or names his shop after his father, in such a case his father will not be deemed as partner or owner of the business.
- 25.5 If during the life time of their father, children opted for various professions and they paid a share of their earning to their father, the money paid to their father would be deemed as his property.
- 25.6 If father terminated his business due to any reason but the shop whether rented or owned by himself remains with him, and one of his son starts his own business there with his own money, the proprietor of the business will be the son not his father. But the shop where the son started his business will be deemed as owned by his father not by him. In case father dies all his dependents will have their claim to that property. Similarly the good will of the business will be of his father's and all his dependents will have their right in it.
- 25.7 There are various problems arising out of such issues in the society? It needs to be explained and Muslims should be made aware of it. This conclave, therefore, urges the Academy to draft a detailed guiding text on the point. The points that require research, should be exclusively deliberated at a seminar and there by resolved.
- 25.8 Imams, preachers, and Ulama are requested to promote awareness on the fair dealings

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of affairs, masses should be enlightened on the issues relating to inheritance, partnership etc in accordance with the teachings of the Shariah. Particularly the issues concerning partnership among parents, children and brothers.