126075 - He has relatives to whom he gives help and he wants to count it as zakaah

the question

I am helping my brothers and other relatives with more then that amount of money which I should give zokat every year and I am not asking them for money back. Some one told me if I am giving money to brothers and relatives for ever to help them in this case I don’t need to give zokat separately even my aim (niyat) was not for zokat at the time when I give them money. Please tell me in the light of islam thanks.

Detailed answer

Praise be to Allah.

Firstly:

If these brothers and relatives are entitled to zakaah because they are poor and do not have enough to live on, or because they are in debt and cannot afford to pay off their debts, it is permissible to give zakaah to them, unless spending on one of them is obligatory for you, because you do not have the right to give him zakaah so as to protect your wealth.

See the answer to question number 125720.

Secondly:

In order for zakaah to be valid, it is essential to have the intention at the time of giving it. If you gave money to these people and you did not have the intention of giving zakaah, then it is not valid to count it as zakaah later on.

Zakaah must be paid when one full year has passed, and it is not permissible to delay it in order to pay it in stages or instalments, but he may pay zakaah in advance, one or two years ahead of time, in which case it may then be given in stages or instalments.

How it is paid in advance is if the year for his zakaah [which is the annual date stipulated for paying his zakaah] is on the first of Dhu'l-Hijjah, for example, and when he pays his zakaah on time, he also pays the zakaah for the coming year with it, then he will have paid zakaah in advance for a year. If we assume that the zakaah for the coming year is 1000, then he may pay 1000 in its entirety in advance now, or he may pay it in instalments throughout the year or however he sees fit. Then when the year has passed, he will have paid his zakaah and will not have delayed any of it. But he should check his money when the actual year has passed. If what he owes of zakaah is more than what he actually paid, then he should pay what remains due from him. Ibn Qudaamah (may Allah have mercy on him) said: Ahmad said: it is not acceptable for him to give zakaah to his relatives every month, in other words he should not delay paying it so that he can give it to them in separate amounts, giving something every month. But if he gives it in advance, and gives it to them or to someone else in separate amounts or altogether, that is permissible because he has not delayed it from the time it was due. End quote from al-Mughni (2/290).

The scholars of the Standing Committee were asked: is it permissible for me to pay the zakaah on my wealth in advance throughout the year, in the form of regular payments to poor families every month?

They replied: there is nothing wrong with giving zakaah one year or two years in advance, if that will serve an interest, and giving it to the poor who are entitled to it on a monthly basis. End quote from Fataawa al-Lajnah al-Daa'imah (2/422).

See also question number 52852.

And Allah knows best.