67578 - Ruling on delaying zakaah and investing the wealth

the question

The annual zakaah on my wealth is a considerable amount (such as 10,000 Egyptian pounds). Previously I have usually given it to the poor or to build a hospital for the poor, etc, but now I am thinking of keeping the value of this zakaah for three or four years in a separate account that brings a suitable annual return in one of the Islamic banks, with the aim of generating a sum that will be suitable for establishing a non-profit centre for da’wah and education using the most modern methods of research and studying in this field for Muslims who begin to have doubts about their religion when they compare it with other religions. Then my annual zakaah will be given to this centre. This is in addition to donations that we hope will be given by other Muslims.
Is this permissible according to sharee’ah?.

Detailed answer

Praise be to Allah.

We would like to thank you for your protective jealousy concerning your religion and for your concern about the Muslims’ situation, but what you want to do and are asking about is not in accordance with sharee’ah, because when zakaah becomes due, after one year has passed, it must be paid immediately, and it is not permissible to delay it if one is able to pay it.

Zakaah is an act of worship and the Muslim must adhere to the rulings on the amount on which zakaah is to be paid, when it is to be paid and the types of wealth on which it must be paid; he does not have the right to delay paying it once the time comes, unless he has an excuse which allows that.

The scholars of the Standing Committee were asked:

If zakaah is due in Jumaada al-Oola, can we delay it until Ramadaan with no excuse?

They replied:

It is not permissible to delay paying zakaah after one year has been completed unless there is a legitimate shar'i excuse, such as there being no poor people around at the time when the year is complete, or not being able to get it to them, or because the money is not accessible, etc.

As for delaying it because of Ramadaan, that is not permissible unless it is only a short period away, such as if the end of the year comes in the second half of Sha'baan; in that case there is nothing wrong with delaying it until Ramadaan. End quote.

Fataawa al-Lajnah al-Daa'imah li'l-Buhooth al-'Ilmiyyah wa'l-Ifta', 9/398

It is not permissible to do business with zakaah wealth for one who is obliged to pay zakaah, or for the institution that takes the zakaah wealth and is entrusted with making sure it reaches the people who are entitled to it. Rather it is obligatory to give it (in the manner prescribed), and their investments should be made with wealth other than zakaah.

The scholars of the Standing Committee were asked about a charitable organization that wanted to invest its wealth. They replied:

If the money mentioned in the question comes from zakaah, then it must be given to the people who are entitled to it according to sharee'ah when it reaches the charitable organization. But if it is not zakaah, then there is no reason why it should not be used for trade in the interests of the organization, because that will increase the benefits that the charity aims to achieve. End quote.

Fataawa al-Lajnah al-Daa'imah li'l-Buhooth il-'Ilmiyyah wa'l-Ifta', 9/403, 404

They were also asked:

Can a global Islamic charity invest zakaah money that has been placed in bank accounts until they are able to distribute it, when investing it is not going to affect the way it is spent according to sharee'ah, on condition that the investments be made in such a way that it may be accessed easily in case of need, and in investments that have been well studied and are reliable, but we do

not say that they are guaranteed so as to avoid anything haraam or doubtful, and on the basis that the charity is not a person or persons representing themselves, rather it is a separate entity, and the people in it are working and doing their best to find out what is best for Islam and the Muslims?

They replied:

It is not permissible for the charity to invest the zakaah money. What should be done is to spend it in the ways prescribed in sharee'ah, after ensuring that the people concerned are entitled to it, because the aim of zakaah is to meet the needs of the poor and pay off the debts of those who are in debt, whereas investment may cause these benefits to be lost or may delay them a great deal for those who are entitled to them. End quote.

Fataawa al-Lajnah al-Daa'imah li'l-Buhooth il-'Ilmiyyah wa'l-Ifta', 9/454, 455

Secondly:

With regard to giving zakaah to build a hospital for the poor or some other charitable projects, we have stated in the answer to question no. 39211 that zakaah is to be spent on certain categories as prescribed in sharee'ah. Allaah says (interpretation of the meaning):

"As-Sadaqaat (here it means Zakaah) are only for the Fuqaraa' (poor), and Al-Masaakeen(the poor) and those employed to collect (the funds); and to attract the hearts of those who have been inclined (towards Islam); and to free the captives; and for those in debt; and for Allaah's Cause (i.e. for Mujaahidoon — those fighting in a holy battle), and for the wayfarer (a traveller who is cut off from everything); a duty imposed by Allaah. And Allaah is All-Knower, All-Wise"

[al-Tawbah 9:60]

So it is not permissible to give zakaah to any categories other than these.

You have to pay zakaah on time; it is not permissible to delay it when you are able to pay it, or to invest that money, whether in profitable business projects or in da'wah projects.

With regard to the da’wah project of which you are thinking, you should try to persuade whoever you can of the Muslims to finance it without using zakaah funds.

May Allaah help us to do that which He loves and which pleases Him.

And Allaah knows best.