

## Ruling concerning the Zakaat on the debt

Shaykh Aboo `Abd-al-Mu`iz `Alee Farkous al-Qoobee

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بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

In the name of Allaah, the Most Merciful, the Bestower of Mercy

**Question:** If someone lends a sum of money to another, what are the details of the issue concerning the Zakaat on this money taking into consideration the situation of the agreement concluded between the creditor and the debtor? Please deliver us the fatwa regarding our question, and may Allaah reward you with the blessings.

**Answer:** All praise is due to Allaah, the Lord of the Worlds. Peace and blessing be upon whom Allaah sent as a mercy to the Worlds, upon his Family, his Companions and his Brothers until the Day of Resurrection:

Whoever lends money to another comes under two probabilities: either he is desperate of getting his money back or there is a hope of regaining it. If he has no hope of getting his money back, then there is no Zakaat thereof. However, if there is a hope of getting his money back and this money reached An-Nisaab<sup>1</sup> either alone or by adding it to the original wealth of the same kind, then there are three cases:

- If the creditor is capable to regain his money from the debtor at any time he wants, then he has to pay the quarter of the tenth as Zakaat thereof, after every lunar year, for the due recipients of Zakaat.
- If he is incapable of getting his money back except after a given period of time, then there are two cases: either the period is determined by months or years, so in this case he pays the Zakaat on the loan and counts it among his original money if it exists in each Hawl<sup>2</sup>, or the period is undetermined, so he has to pay Zakaat on the loan for one year according to the most valid opinion of the scholars; then he does not pay Zakaat [on the loan] unless after receiving it. So, once he receives it, he has to pay its Zakaat for the years during which he did not pay its Zakaat, for it concerns the rights of the humans, and pursuant to the saying of 'A'ishah رضي الله عنها: **“There is no**

<sup>1</sup> An-Nisaab: is the amount limit for the payment of Zakaat. It is equal to 85g of gold. A Muslim who possesses wealth below An-Nisaab is exempted from paying Zakaat, while a Muslim who possesses wealth at or above An-Nisaab is obliged to pay Zakaat. Translator's note.

<sup>2</sup> Al-Hawl: is the completion of one lunar year cycle on possessed wealth. This is a specific condition for livestock, gold and silver (money), and trade goods. However, crops, fruits, minerals and buried precious metals do not require completion of the cycle and the Zakaat on them should be paid when they are harvested or extracted from the ground. Translator's note.

## Ruling concerning the Zakaat on the debt

**Zakaat on it (the loan) until he receives it**<sup>3</sup>, and the saying of ‘Ali رضي الله عنه concerning the doubtful debt: **“If he is truthful, then let him pay its Zakaat for the preceding years if he received it”**<sup>4</sup>. Nevertheless, if he does not receive it, he is under no obligation to pay its Zakaat after he has paid the first year on his loan, according to the saying of ‘Alishah رضي الله عنها: **“There is no Zakaat on the debt”**<sup>5</sup>.

The perfect knowledge belongs to Allaah عزَّ وجلَّ; and our last prayer is all the praises and thanks are to Allaah, the Lord of the Worlds, and prayers of Allaah are to Muhammad and his Family, Companions and Brothers until the Day of Resurrection.

Algiers, Jumaada Ath-Thaania 23rd, 1426 H Corresponding to July 29th, 2005 G.

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<sup>3</sup> Reported by Ibn Abee Shayba in “Al-Musannaf” (10259). This hadeeth is judged Hassan (good) by Al-Albaanee in “Al-Irwaa’ ” (784).

<sup>4</sup> Reported by Ibn Abee Shayba in “Al-Musannaf” (10256) and by Al-Baihaqee in “As-Sunan Al-Kubraa” (7623). See: “Al-Irwaa’ ” (785).

<sup>5</sup> Reported by ‘Abd Ar-Razzaaq in “Al-Musannaf” (7115) and by Ibn Abee Shayba in “Al-Musannaf”. This hadeeth is judged Hassan (good) by Al-Albaanee in “Al-Irwaa’ ” (784).