

**ALMSGIVING TO *AL-GHĀRIMĪN*:
BRUNEI DARUSSALAM CASE STUDY**

**NURUL AQILAH BINTI HAJI ABDUL RAHMAN
10B0808**

An academic exercise submitted in partial fulfilment
of the requirements for the degree of
BACHELOR OF SCIENCE IN ISLAMIC FINANCE

**Faculty of Business and Management Sciences
Sultan Sharif Ali Islamic University
Brunei Darussalam**

Sha‘bān 1435 / June 2014



SUPERVISION

ALMSGIVING TO *AL-GHĀRIMĪN*:
BRUNEI DARUSSALAM CASE STUDY

NURUL AQILAH BINTI HAJI ABDUL RAHMAN

10B0808

Supervisor: DR ABDUL NASIR BIN HAJI ABDUL RANI

Signature: _____ Date: _____

Faculty Dean: DR FADZLIWATI BINTI HAJI MOHIDDIN

Signature:  Date: 28-06-14

DECLARATION

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

I hereby declare that the work in this academic exercise is my own except for quotations and summaries which have been duly acknowledged.

Signature : 

Name : Nurul Aqilah Binti Haji Abd Rahman

Registration Number : 10B0808

Date of submission : 30 Sha'bān 1435 / 28 June 2014

DECLARATION OF COPYRIGHT AND AFFIRMATION OF FAIR USE OF UNPUBLISHED RESEARCH

Copyright © 2014 by Nurul Aqilah binti Haji Abdul Rahman. All rights reserved.

ALMSGIVING TO *AL-GHĀRIMĪN*: BRUNEI DARUSSALAM CASE STUDY

No part of this unpublished research may be reproduced, stored in a retrieval system or transmitted, in any form or by any means, electronic, mechanical, photocopying, recording or otherwise without prior written permission of the copyright holder except as provided below:

1. Any material contained in or derived from this unpublished research may only be used by others in their writing with due acknowledgement.
2. UNISSA or its library will have the right to make and transmit copies (print and electronic) for institutional and academic purposes.
3. The UNISSA library will have the right to make, store in retrieval system and supply copies of this unpublished research if requested by other universities and research libraries.

Affirmed by Nurul Aqilah binti Haji Abdul Rahman.

.....


Signature:

30 Sha'bān 1435 / 28 June 2014

Date:

ACKNOWLEDGEMENT

- Grateful to Allāh *Subahānahu wa Taālā* and His Messenger Muḥammad *Ṣallallāhu ‘Alayhi Wasallam* for their guidance and knowledge throughout the completion of this Academic Exercise.
- My first and sincere expression goes to my supervisor of this Academic Exercise, Dr Abdul Nasir bin Haji Abdul Rani for his continuous support and guidance during the writing of this Academic Exercise. His patience, motivation, and immense knowledge helped me in many ways in completing this exercise.
- Many thanks to Islamic Religious Council of Brunei Darussalam (*MUIB*), particularly *al-Ghārimīn* Unit under the Tithe Distribution and Collection Division (*BAKAZ*) for their willingness in giving continuous cooperation throughout the interview and their valuable time in providing the information needed for this academic exercise.
- My special thanks to the Government of His Majesty the Sultan of Brunei Darussalam, who granted me a scholarship to pursue my study at the Islamic University of Sultan Sharif Ali (*UNISSA*).
- I also would like to express my deep gratitude to *UNISSA* for the four years invaluable experiences as a student under the Faculty of Business and Management Sciences and special thanks go to those who are involved direct or indirectly throughout the writing of this academic exercise.
- Last but not least, my greatest appreciation goes to my parents, Haji Abdul Rahman bin Haji Jais and Norsiah bin Haji Mohd Zain, for their continuous supports and never-ending prayers for every step I made. The appreciation also goes to my Faculty of Business and Management Sciences colleague's intake 2010/2011, for their assistance, motivation and support throughout the time in writing this Academic Exercise. My prayers go for all of these people, May Allāh bless you and reward you with His endless love and grace. Amīn.

ABSTRACT

ALMSGIVING TO *AL-GHĀRIMĪN*: BRUNEI DARUSSALAM CASE STUDY

This study aims to find out the *zakāh* management practice for *al-Ghārimīn* from the perspective of *madhhab al-Shāfi'ī* and its implementation in Brunei Darussalam. It adopts qualitative research which particularly concentrates on the Islamic Religious Council of Brunei Darussalam (*MUIB*) in determining *al-Ghārimīn* in Brunei Darussalam, followed by its operational procedures practice and the progress of the *zakāh* of *al-Ghārimīn* processes before and after the Brunei Islamic Religious Council Conference 2009 for the purpose to identify any drawbacks that are limiting it to practice effectively and efficiently. It is found that the practice is in line with *madhhab al-Shāfi'ī*. Even so, the *zakāh* management practice for *al-Ghārimīn* still need a room for improvement in their management of their human resource and the usage of the system itself. It subsequently shows the arising issues on unexpected high numbers of cases received with a high amount of debt incurred. Findings from this study are expected to guide the *zakāh* institutions itself to surpass any issues arising on their management practice and the indebted problems of *al-Ghārimīn* itself as to achieve efficiency in the distribution in the future.

Keywords: *zakāh al-Ghārimīn*, *madhhab al-Shāfi'ī*, *MUIB*.

ABSTRAK

ZAKAT *AL-GHĀRIMĪN*: KAJIAN BRUNEI DARUSSALAM

Kajian ini bertujuan untuk mengetahui amalan pengurusan zakat *al-Ghārimīn* dari perspektif *madhhab al-Shāfi'ī* dan pelaksanaannya di Negara Brunei Darussalam. Kajian ini dilaksanakan dengan menggunakan penyelidikan kualitatif yang tertumpu kepada Majlis Ugama Islam Negara Brunei Darussalam (MUIB) dalam menentukan zakat *al-Ghārimīn* itu, diikuti dengan operasi prosedur pelaksanaannya serta perkembangan proses pelaksanaan zakat *al-Ghārimīn* sebelum dan selepas Persidangan Majlis Ugama Islam Brunei 2009 bagi tujuan untuk mengenal pasti kelemahan yang menjadi kekangan pelaksanaan dengan lebih berkesan dan cekap. Kajian ini mendapati bahawa pengurusan zakat tersebut adalah selaras dengan ajaran *madhhab al-Shāfi'ī*. Namun begitu, pengurusan zakat ini masih memerlukan ruang pembaikan dalam pengurusan sumber manusia dan dalam sistem pengurusan zakat itu sendiri. Kajian ini kemudiannya menunjukkan bilangan kes permohonan yang semakin meningkat yang mencatatkan jumlah hutang yang tinggi. Hasil penemuan daripada kajian ini diharap akan memberi panduan kepada institusi zakat itu sendiri dalam mengatasi sebarang isu-isu yang timbul dalam operasi prosedur pengurusannya dan masalah berhutang di kalangan *al-Ghārimīn* itu sendiri untuk mencapai kecekapan dalam pengagihannya di masa hadapan.

Kata kunci: zakat *al-Ghārimīn*, *madhhab al-Shāfi'ī*, MUIB.

ملخص البحث

الزكاة للغارمين:

دراسة في بروناي دار السلام

تهدف هذه الدراسة إلى معرفة ممارسة إدارة الزكاة للغارمين من وجهة نظر مذهب الشافعي، وتنفيذها في بروناي دار السلام. وهي تعتمد منهج البحوث النوعية، والتي تركز بشكل خاص على مجلس بروناي دار السلام الديني الإسلامي (MUIB) في تحديد الغارمين في بروني دار السلام، تليها ممارسة الإجراءات العمليات لزكاة الغارمين، وتطورها قبل وبعد مؤتمر مجلس بروني دار السلام الديني الإسلامي عام 2009م، لغرض تحديد أي عيوب التي أدت إلى الاقتصار على ممارسة الإدارة بفعالية وكفاءة. وتكشف هذه الدراسة أن الممارسة تتماشى مع مذهب الشافعي. ومع ذلك، فإن ممارسة إدارة الزكاة للغارمين لا تزال في حاجة ماسة إلى التحسين في إدارتها لمواردها البشرية، واستخدام النظام نفسه. كما تظهر في الوقت اللاحق القضايا الناتجة عن ارتفاع أعداد من القضايا غير متوقعة التي وردت مع كمية عالية من الديون التي تكبدها. ولعل نتائج هذه الدراسة أن تساعد مؤسسات الزكاة نفسها على تجاوز أية مشكلات الناتجة عن ممارسة الإدارة، والمشاكل الثقيلة للغارمين نفسها، لتحقيق الكفاءة في التوزيع في المستقبل.

كلمات البحث : الزكاة للغارمين ، مذهب الشافعي، MUIB.

TABLE OF CONTENTS

CONTENT	PAGE
Supervision	iii
Declaration	iv
Copyright	v
Acknowledgement	vi
Abstract	vii
Abstrak	viii
ملخص البحث	ix
Table of Contents	x
List of Tables	xiv
List of Figure	xv
List of Charts	xvi
List of Appendices	xvii
Transliteration	xviii
Abbreviations	xxi
CHAPTER I	
INTRODUCTION	
1.1.Introduction	1
1.2.Problem Statement	2
1.3.Literature Review	4
1.4.Research Scope	8
1.5.Research Questions	9
1.6.Objectives of the Study	9

1.7. Significance of the Study	10
1.8. Research Methodology	10
1.9. Limitation of the Study	12
1.10. Expected Outcomes	13
CHAPTER II	
ZAKĀH AL-GHĀRIMĪN IN ISLAMIC PERSPECTIVE	
2.1. <i>Zakāh</i>	14
2.2. Types of <i>Zakāh</i>	15
2.2.1. <i>Zakāt al-Fiṭr</i>	16
2.2.2. <i>Zakāt al-Māl</i>	16
2.3. Conditions for <i>zakāh</i>	18
2.3.1. Conditions related to the <i>zakāh</i> payers	18
2.3.2. Conditions related to <i>zakāh al-Māl</i>	18
2.4. <i>Aṣnāf</i> of <i>zakāh</i>	19
2.5. <i>Al-Ghārimīn</i> based on <i>Madhhab al-Shāfi</i> ʿ	21
2.5.1. <i>Madhhab al-Shāfi</i> ʿ	22
2.5.2. Definition of <i>al-Ghārimīn</i>	22
2.5.3. Categories of <i>al-Ghārimīn</i>	23
CHAPTER III	
ZAKĀH AL-GHĀRIMĪN IN BRUNEI DARUSSALAM	
3.1. The Islamic Religious Council of Brunei Darussalam (<i>MUIB</i>)	24
3.2. Brunei Islamic Religious Council Department (<i>JMUIB</i>)	25
3.2.1. Functions of <i>JMUIB</i>	26
3.2.2. Divisions under <i>JMUIB</i>	26

3.3. The Tithe Distribution and Collection division (<i>BAKAZ</i>)	26
3.3.1. Objectives of <i>BAKAZ</i>	27
3.3.2. Functions of <i>BAKAZ</i>	27
3.3.3. Divisions under <i>BAKAZ</i>	27
3.4. <i>Al-Ghārimīn</i> in Brunei Darussalam	29
3.4.1. Definitions of <i>al-Ghārimīn</i>	29
3.4.2. Categories of <i>al-Ghārimīn</i>	29
3.4.3. Eligibility of <i>al-Ghārimīn</i>	32
3.4.4. Operational Procedures of <i>al-Ghārimīn</i>	32
3.4.5. Issues on the Operational Procedures <i>al-Ghārimīn</i>	37
CHAPTER IV	
DATA STATISTIC OF <i>ZAKĀH AL-GHĀRIMĪN</i>	
4.1. Application Process	39
4.1.1. Types of Debt	40
4.1.2. The Progress of the Application Process	44
4.2. Execution Process	49
4.3. Factors of Indebtedness in Brunei Darussalam	50
CHAPTER V	
CONCLUSION AND RECOMMENDATIONS	
5.1. Conclusion	53
5.2. Recommendation	54
5.2.1. <i>MUIB</i>	54
5.2.1.1. Human Resource	54
5.2.1.2. Effective usage of the system	55

5.2.1.3. Consultation session	56
5.2.2. <i>Aṣnāf al-Ghārimīn</i>	57
5.2.2.1. Religious knowledge on indebtedness	57
5.2.2.2. Financial literacy	57
5.2.2.3. Saving	59
BIBLIOGRAPHY	60

LIST OF TABLES

NUMBER	TITLE	PAGE
Table 1	Difference on definitions and categories of <i>al-Ghārimīn</i>	31
Table 2	Summary of applications received for <i>zakāh al-Ghārimīn</i>	39
Table 3	Summary of the statistical data for <i>aṣnāf al-Ghārimīn</i> (by number of cases)	43
Table 4	Approved applications process for <i>zakāh al-Ghārimīn</i> (Phase One)	49

LIST OF FIGURES

NUMBER	TITLE	PAGE
Figure 1	Organization Structure of the Islamic Religious Council of Brunei Darussalam (<i>MUIB</i>)	25
Figure 2	Organizational structure of the Tithe Distribution and Collection Unit (<i>BAKAZ</i>)	28
Figure 3	Application procedures for <i>al-Ghārimīn</i> in Brunei Darussalam	34

LIST OF CHARTS

NUMBER	TITLE	PAGE
Chart 1	Summary of the total amount of <i>aṣnāf al-Ghārimīn</i> applications (by percentage)	40
Chart 2	Statistical data of <i>aṣnāf al-Ghārimīn</i> applications for Phase One	45
Chart 3	Statistical data of <i>aṣnāf al-Ghārimīn</i> applications for Phase Two	46
Chart 4	Statistical data of <i>aṣnāf al-Ghārimīn</i> applications for Phase Three	47
Chart 5	Summary of the statistical data for <i>aṣnāf al-Ghārimīn</i>	48

LIST OF APPENDICES

NUMBER	TITLE	PAGE
Appendix A	Sample of Interview Questions	63
Appendix B	General application form for <i>zakāh</i> in Brunei Darussalam	68
Appendix C	<i>Borang Permohonan Wang Zakat Asnaf Al-Gharimin</i>	81
Appendix D	<i>Borang Keterangan Anak Pemohon</i>	92

TRANSLITERATION

TRANSLITERATION	ARABIC
<i>al-Tawbah</i>	التوبة
<i>al-Baqarah</i>	البقرة
<i>al-Bukhārī</i>	البخاري
<i>al-Ghārimīn</i>	الغارمين
Allāh	الله
Allāh <i>Subhānahu wa Ta'ālā</i>	الله سبحانه وتعالى
<i>al-Masākīn</i>	المساكين
al-Qur'ān	القرآن
<i>al-Shāfi'ī</i>	الشافعي
<i>Amānah</i>	أمانة
'Āmil	عامل
<i>Amwāl</i>	أموال
'Aqīdah	عقيدة
<i>al-Rahmu</i>	الرهن
<i>al-Rāki'ūn</i>	الراكون
<i>al-Riqāb</i>	الرقاب
<i>Aṣnāf</i>	أصناف
<i>al-Sadaqāt</i>	الصدقات
<i>al-Salāh</i>	الصلاة
<i>Bayt al-Māl</i>	بيت المال
<i>Fī Sabīlillāh</i>	في سبيل الله
Fiṭrah	فطرة
<i>Fuqarā'</i>	فقراء
<i>Ḥadīth</i>	حديث
<i>Ḥanafī</i>	حنفي
<i>Ḥanbalī</i>	حنبلي

TRANSLITERATION

TRANSLITERATION	ARABIC
<i>Hawl</i>	حول
<i>Hijrah</i>	هجرة
<i>Ibnu Šābil</i>	ابن السبيل
<i>Ijtihād</i>	اجتهاد
<i>Iqāmat al Šalāh</i>	إقامة الصلاة
<i>Jumhūr</i>	جمهور
<i>Madhhab</i>	مذهب
<i>Māl</i>	مال
<i>Mālikī</i>	مالكي
<i>Mu'allaf</i>	مؤلف
<i>Muḥammad Šallallāhu 'Alayhi Wasallam</i>	محمد صلى الله عليه وسلم
<i>Mujāhidūn</i>	مجاهدون
<i>Mustaḥiqqīn</i>	مستحقين
<i>Niṣāb</i>	نصاب
<i>Raḍiallāhu 'Anhu</i>	رضى الله عنه
<i>Rasūlullāh Šallallāhu 'Alayhi Wasallam</i>	رسول الله صلى الله عليه وسلم
<i>Ribā</i>	ربا
<i>Rikāz</i>	ركاز
<i>šā'</i>	صاع
<i>Šadaqah</i>	صدقة
<i>Sharī'ah</i>	شريعة
<i>Sunnah</i>	سنة
<i>Waqf</i>	وقف
<i>Zakāh</i>	زكاة
<i>Zakāt al-Fiṭr</i>	زكاة الفطرة

TRANSLITERATION

TRANSLITERATION	ARABIC
<i>Zakat al-Māl</i>	زكاة المال

ABBREVIATIONS

AMBD	Authoriti Monetari of Brunei Darussalam
BAB	the Brunei Association Banks
BAKAZ	the Tithe Distribution and Collection Division
BIBD	Bank Islam Brunei Darussalam
BINA	Brunei Industrial Development Authority
ed.	Edition
Ed.	Editor
etc.	<i>et cetera</i>
<i>ibid</i>	<i>ibidem</i>
<i>ie.</i>	<i>exempli gratia</i>
IKIM	Institut Kefahaman Islam Malaysia
HDD	Housing Development Department
HDI	Human Development Index
HSBC	Hongkong and Shanghai Bank
JKP	Confirmation Committee meeting
JMUTB	Brunei Islamic Religious Council Department
JMWZ	<i>Zakāh</i> Issuance Committee Meeting
MOF	Ministry of Finance
MITB	The Islamic Religious Council of Brunei Darussalam
no.	number
n.d.	no date of publications
n.pl.	no place of publications
<i>Op.cit</i>	<i>opera citato</i>
p.	page
pp.	pages
PROP AZ	<i>Program Pengupayaan Asnaf Zakat (Fakir dan Miskin)</i>
RPN	National Housing Plan Scheme
SANZAF	South African National Zakat Fund
SCB	Standard Chartered Bank
Sm. Bhd	Sendirian Berhad
SME	Small-Medium Enterprise
SPZ	<i>Zakāh</i> Management System
SKRJ	<i>Skim Tanah Kurnia Rakyat Jati</i>
TNA	Training Need Analysis
TOL	Temporary Occupation License
trans.	translator
Vol.	Volume

CHAPTER I

INTRODUCTION

1.1. Introduction

Zakāh is one of the five pillars of Islam. It is an obligatory act ordained by Allāh in which each Muslim must fulfil in their lifetime. In amid of global financial crisis and development, His Majesty Sultan Haji Hassanal Bolkiah Mu'izzadin Waddaulah, Sultan and Yang Di-Pertuan of Brunei Darussalam has not overlooked to ensure the management and equalization of distribution of *zakāh* to his people, especially in alleviating the poverty which at once aims for zero-poverty.

In Brunei's context, the *zakāh* management is solely dominated by the government institution. It is administered by the Islamic Religious Council of Brunei Darussalam (*MUIB*). It was first established in 1956 during the reign of Sultan Omar Ali Saifuddin III under the Law No.20/1955 act and it was amended to Religious Council and *Kadi* Courts, Chapter 77, in 1984 where the institution was given the authority to collect and distribute the *zakāh* fund for the Brunei citizens.¹

The supervision of the *zakāh* fund is organized by the Tithes Distribution and Collection Division (*BAKAZ*). Under this division, it further divided into five respective units²:

- (1) Administration, Research and Development Unit;
- (2) Secretariat Unit;
- (3) Collection and Accrual Unit;
- (4) Application and Distribution Unit; and
- (5) Monetary and Accounting Unit.

As for Brunei Darussalam, there are only six categories (*aṣnāf*) of *zakāh* recipients that are entitled to receive *zakāh* which are the poor (*Fuqarā*), the needy

¹ Kementerian Hal Ehwal Ugama. 2014. "Pengenalan". *MUIB*. http://www.religious-affairs.gov.bn/index.php?ch=bm_muib&pg=bm_muib_profil&ac=1044

² *BAKAZ*. 2008. "Unit-unit Dalam *BAKAZ* dan Cawangannya". *BAKAZ*. http://www.zakat-muib.gov.bn/subindex.asp?id=A069_08

(*al-Masākīn*), those who collect the *zakāh* (*‘Āmil*), those whose hearts are inclined towards Islam (*Mu’allaf*), the indebted (*al-Ghārimīn*), and the wayfarer who need help (*Ibnu Sabīl*). This study will only focus on *al-Ghārimīn* because it is one of the highlighted *aṣṇāf* during the Brunei Islamic Religious Council Conference dated 13th January 2009.

There is no specific determination or condition mentioned in al-Qur’ān regarding on the definition of *al-Ghārimīn*, yet it has different views in the *ḥadīth*³ and the majority of the scholars. This study will convey its significant point in further understand the views which based on *madhhab al-Shāfi’ī* in defining *al-Ghārimīn*.

1.2. Problem Statement

With regards of what His Majesty, Sultan Haji Hassanal Bolkiah Mu’izzadin Waddaulah, Sultan Dan Yang Di-Pertuan of Brunei Darussalam had raised his concern on defining who are the *al-Ghārimīn* in Brunei Darussalam, what are the condition needed in determining who exactly they are where He said,

“.. So based on this I have been compelled to find out the number of things connected with the poor recipients and those who indebted (al-Ghārimīn). Who are they exactly? Where are their positions in zakāh’s law? When they actually deserve zakāh?”⁴

“.. Aside from the aṣṇāf poor and the needy, I also want to know the status of those who are indebted (aṣṇāf al-Ghārimīn) when they are considered to be entitled to receive zakāh? What are the conditions for them to be entitled to receive the zakāh and when are not?”⁵

³ Hadīth are sayings and traditions of the Prophet Muḥammad *Ṣallallāhu ‘Alayhi Wasallam* with accounts of his daily practice (the Sunnah), constitute the major source of guidance of Muslims after the primary source of al-Qur’ān.

⁴ Prime Minister’s Office. 2014. “TITAH- *Persidangan Majlis Ugama Islam*”. TITAH View. <http://www.pmo.gov.bn/Lists/TITAH/NewDispform.aspx?ID=146&Source=http%3A%2F%2Fwww%2Epmo%2Egov%2Ebn%2FPMO%2520Pages%2FTitah-View%2Easpx&ContentTypeId=0x0100422E821587FC974C9DFFAF38C117CE34>

“Maka berasaskan inilah, beta terpanggil untuk mengetahui kedudukan beberapa perkara yang bersangkutan dengan asnaf fakir miskin dan orang-orang penanggung hutang (al-gharimin). Siapakah sebenarnya mereka itu? Di mana kedudukan mereka di segi hukum zakat? Bilakah mereka benar-benar berhak menerima zakat?”

⁵ *ibid*

The address also highlighted on the system management of *zakāh* disbursement fund which cause a high remaining amount of accumulated *zakāh* fund at the end of the year 2004. His Majesty also stressed on the remaining outstanding amount for *al-Ghārimīn* is more than sufficient to cover up the debt of the *al-Ghārimīn*. He said:

*".. Another issue here is regarding on the accumulated zakāh fund. The outstanding accumulated zakāh fund after the distribution to the respective aṣnāf was apparently in large numbers as been confirmed by the general auditors as at December 31, 2004, amounted to \$ 239,631,073.56"*⁶..

*".. As for the aṣnāf al-Ghārimīn, the accumulated zakāh fund for this category is around \$46 million. I believe that \$46 million is more than enough for those who are currently qualified to receive zakāh for aṣnāf al-Ghārimīn"*⁷

From this statement His Majesty pointed out some questions on the distribution management of the *zakāh* fund and its sufficiency in distributing the *zakāh* fund since it is *amānah*⁸ and responsibility from Allāh that he must convey as the head of state. From this issue, His Majesty then mentioned about the possibility of those who are indebted because of personal interests' that are qualified to be *al-Ghārimīn* should or should not be given or entitle *zakāh* fund. As he said in his titah:

"In this connection, is it not absurd and relevant if the al-Ghārimīn who indebted because of personal interest', if only they were worthy or entitled

"Selain focus beta kepada asnaf fakir miskin, beta juga ingin mengetahui kedudukan asnaf penanggung-penanggung hutang (al gharimin), bilakah mereka ini dianggap berhak menerima zakat? Apakah syarat-syarat mereka boleh menerima zakat dan bila pula tidak?"

⁶ Prime Minister's Office. 2014. "TITAH- Persidangan Majlis Ugama Islam". TITAH View. <http://www.pmo.gov.bn/Lists/TITAH/NewDispform.aspx?ID=146&Source=http%3A%2F%2Fwww%2Epmo%2Egov%2Ebn%2FPMO%2520Pages%2FTitah-View%2Easpx&ContentTypeId=0x0100422E821587FC974C9DFFAF38C117CE34>

"Yang turut menjadi isu di sini ialah 'kumpulan wang zakat'. Dari kumpulan tersebut, wang zakat yang berhak, kelihatannya dalam jumlah yang besar, iaitu seperti yang telah disahkan oleh Juruaudit Agung bagi kunci kira-kira yang berakhir 31 Disember 2004, berjumlah sebanyak \$239,631,073.56 (dua ratus tiga puluh sembilan juta enam ratus tiga puluh satu ribu dan tujuh puluh tiga ringgit lima puluh enam sen)"

⁷ *ibid*

"Baki bagi bahagian asnaf al-gharimin pula adalah dalam lingkungan dari 46 juta ringgit. Beta percaya, mereka yang layak setakat ini untuk menerima bahagian al-gharimin bagi kategori penanggung-penanggung hutang yang telah beta sebutkan terdahulu, rasanya tidaklah akan melimpasi jumlah baki 46 juta ringgit itu."

⁸ *Amānah* is the moral responsibility of fulfilling one's obligations due to Allāh *Subahānahu Wa Ta'ālā* and one's obligations due to other people. It also associated to trustworthiness.

to receive a *zakāh* for the *al-Ghārimīn* to be included as the *aṣnāf al-Ghārimīn*"⁹

This statement caused the *MUIB* to restructure and modify their current practices on the disbursement of *zakāh* to *al-Ghārimīn* as to comply with what his Majesty had addressed. In addition, soon after the royal address, masses of people flood the Ministry of Religious Affairs to apply the *zakāh* application forms¹⁰. According to *MUIB* as much as 862 applications for *al-Ghārimīn* were received for the first year after the royal address. Thus, this study will also look into the progress of application process of *al-Ghārimīn*.

1.3. Literature Review

There are many studies have been conducted on *zakāh* but mostly merely concentrate on the development and management of *zakāh* from various angles, among those are related to *al-Ghārimīn* study are:

- a) Hajah Hasnah (2011). "Keberkesanan zakat terhadap *aṣnāf al-Ghārimīn* di Daerah Brunei dan Muara: satu kajian". *Thesis submitted for degree of Islamic Teaching (Sharī'ah)*. Kolej Universiti Perguruan Ugama Seri Begawan.

This study aimed to determine the definition of *aṣnāf al-Ghārimīn* in Islām and in Brunei Darussalam which also focused on examining the effectiveness of the application procedure of the *zakāh* to *aṣnāf al-Ghārimīn* in the Brunei Muara District, Brunei Darussalam. It used a qualitative and quantitative approach, where the former data collection was based on interviews with the *MUIB*'s officers and the latter used survey questions to the respondents of the *al-Ghārimīn*. However, the data collected in survey approach only consisted of four *al-Ghārimīn* respondents out of the 404 qualified respondents after the royal address, which might not be able to accomplish the objective of the research as to see the effectiveness of the *zakāh* disbursement. In

⁹ Prime Minister's Office. 2014. "TITAH- Persidangan Majlis Ugama Islam". TITAH View. <http://www.pmo.gov.bn/Lists/TITAH/NewDispform.aspx?ID=146&Source=http%3A%2F%2Fwww%2Epmo%2Egov%2Ebn%2FFPMO%2520Pages%2FTitah-View%2Easpx&ContentTypeId=0x0100422E821587FC974C9DFFAF38C117CE34>

"Dalam hubungan ini, apakah tidak munasabah dan relevan jika bahagian *al-gharimin* ini juga turut ditimbang untuk membayar hutang-hutang tertunggak, bagi penghutang-penghutang yang berhutang kerana masalah asasi peribadi, jika sekiranya mereka itu layak atau berhak untuk menerima zakat bahagian *al-gharimin*"

¹⁰ Azaraimy HH. "Run on Zakat millions". *Borneo Bulletin Sunday*. Brunei Darussalam: Brunei Press Sdn Bhd. No.365. January 2009. pp.1 and 4.

additions, she had not determined the limitation in this matter. She concluded the research by giving the suggestions to the *zakāh* institutions to improve their work ethics in communicating with the *zakāh* respondents and to upgrade efficiency in handling the application procedure to *al-Ghārimīn* from the collection of data of the respondents to the disbursement of the *zakāh* funds. This study also recommended ways to overcome the indebtedness problems.

- b) Rose Abdullah. (2012). *Zakat management in Brunei Darussalam: Funding The Economic Activities of The Poor*. Bandar Seri Begawan: Universiti Islam Sultan Sharif Ali.

The aim of this study was to investigate the role of the *zakāh* institution in general and focus on how the *zakāh* funds has been used to finance economic activities or projects run by the poor and needy as part of a long-term rehabilitation program which contributes in the socioeconomic aspects of Brunei Darussalam which only concentrated on Brunei and Muara district. This study used both qualitative and quantitative methods. In her investigation, it showed that there was a lack of management from the institution after the disbursement of *zakāh* funds to the targeted recipients where there were no consultancy services or specific monitoring program provided as to make sure the recipients ability to manage the activities on track which actually led to the failure of the program. Furthermore, there was a lack of coordination of human resources in managing the workloads and also no coordination among the *zakāh* institution and other charitable organizations which caused redundancy on the same services given to the recipients. The writer concludes that these problems should be managed and tackles efficiently by fixing the defects on the system. The limitation could be seen as where the sample size of the respondents was reduced, which might effect on achieving the objectives of the study.

- c) Norsiah Sulaiman, Ramawan Ab. Rahman, Khairul Faezi Mat Said, Hasan Bahrom, Nafisiah Abdul Rahman. "Hutang dalam Manuskrip Melayu dan Realiti Masa Kini Serta Kajian al-Gharimin di Malaysia". *Paper presented in Seminar Serantau Kajian Manuskrip Melayu dan Kearifan Tempatan*. 2013.

The survey was done to examine the performance of indebtedness in Malaysia which aimed to suggest ways in alleviating the issues on *al-Ghārimīn*. The definition and impacts of *al-Ghārimīn* was defined generally and also specifically connect it to the

Malay manuscripts. This study used a qualitative and quantitative approach where the former was done by interviewing the *zakāh*'s experts or the *zakāh* institutions, and Muslim scholars on *zakāh* and the latter was accomplished by distributing 360 questionnaires to all states of Malaysia. Yet, the aims of methodology mentioned was not standardized with results and findings where their aims were to see whether the allocation of the funds to the recipients of *zakāh al-Ghārimīn* was complying with the requirements of the laws or not, or the allocation of the funds might or might not be able to alleviate issues on *al-Ghārimīn*. Furthermore, they also mentioned that the result from this study was intended to draw a guideline as the basis for determining the recipients of *al-Ghārimīn* which was bonded to the requirements of the laws. Yet, there was no guideline provided as their aims to set up the guideline to determine who the *al-Ghārimīn* is. In additions, there was gap spotted in such on determining the issues on *al-Ghārimīn*, this study showed a conservative approach where they had fixed what the issues on indebtedness were.

d) Ajaz Ahmed Khan and Helen Mould. (2008). *Islam and Debt*. United Kingdom: Islamic Relief Worldwide.

This study focused on the debt crisis in the poorer countries which give additional insights that can be gained through analysing it from an Islamic perspective which solely concentrates on the poor and marginalized people and it further aims in examining briefly Islamic teachings on debt with reference from the al-Qur'ān and *Hadīth* which can apply to mitigate the danger of debt and contends that for Muslims there are indeed strong and clear faith-based reasons for advocating debt cancellation. This study seeks guidance form the verse of al-Qur'ān and develops a theoretical and workable model of a specific Islamic teachings and guidance that Muslims can refer to when considering the solutions which connects debt to Islamic social justice in such where the Muslims are urged to advocate on behalf of the poor by advocate wealth sharing through *zakāh* and risk-sharing, prohibits interest (*ribā*) activities, encourage debt forgiveness and discourage heavy debt within affordable limits. In sum, this study aims to enjoin Muslims to strive for social justice which requires three fundamental aspects which are fair and equitable distribution of wealth, provision of basic necessities of life to the poor and needy and protection of the weak against economic exploitation by the strong.

- e) Benaouda Bensaid, Fadila Grine, Mohd Roslan Mohd Nor, and Mohd Yakub Zulkifli Mohd Yusoff. "Enduring Financial Debt: An Islamic Perspective". *Journal of Scientific*. Middle-East: IDOSI. (1990-9223): 2013.

Another study conducted is to investigate some of the major concepts on indebtedness in Islam while shedding light on the spiritual and moral implications associated with indebtedness, for both debtors (*al-Ghārimīn*) and creditors. Methodology of this study was done by referring the significance occurrences on the development of debt based on prophetic Sunnah and his companions. It further showed that the religious gravity of debt for Muslim might not only affect the conditions of a Muslim's life in this world, but also held sway over the eschatological¹¹ world as well. Hence, it connects the gravity to a deep route of consciousness of the religious consequences of indebtedness while simultaneously training Muslims on the religious and moral responsibility. In additions, spirituality and management of over-indebtedness was further connected to sets number of religious measures that not only ease the emotional and social distress of debtors, but also protect the right of the creditors while sustaining communal piety, dignity and responsibility. Altogether from their discussion, it gives connections between indebtedness and Islam and how they can be able to strive for financial independence, by integral segments of positive Muslim religious devotion and moral character.

As shown above, there are various aspects that this proposed research topic may connect to the past studies mentioned above in the terms of field of research. Yet, this proposed research topic is new in which it looks into different aspects in *zakāh* and *al-Ghārimīn* which solely concentrates on the practices in Brunei Darussalam.

¹¹ Eschatological means the life after the death (the hereafter).

1.4. Research Scope

a) Types of *Zakāh*

This study comprehensively cover on both of types of *zakāh*; *zakāt al-Fiṭr* and *zakāt al-Māl* whereby *zakāt al-Fiṭr* is obligatory *zakāh* paid every end of the month of *Ramadhān* and *zakāt al-Māl* is obligatory *zakāh* for those whose property or wealth had reached their *niṣāb* and *hawl* during anytime of the year. These two types of *zakāh* are determined to share the wealth with the eight *aṣnāf* who was prescribed by Allāh to receive it.

b) *Aṣnāf* of *zakāh*

There are eight *aṣnāf* whom are entitled to receive the *zakāh* fund, which had been mentioned in *Sūrah al-Tawbah* verse 60 in al-Qur'ān which six of them had been mentioned earlier along with the other three which are *al-Riqāb* (those whose are the captives or slaves that need to be free), *Ibnu Sabīl* (wayfarer who need help) and *Fī Sabīlillāh* (those fights for the sake of Allāh). As for this study, the research will only concentrate on *al-Ghārimīn* (those who are indebted).

c) Time Limit

The time limit for this research is from the year 2008 until the year of 2012, i.e. after the amended practices of *zakāh* to *al-Ghārimīn* after the royal address in 2009. The aim for this range time limit is to see the management practice of the *zakāh* disbursement to *al-Ghārimīn* before and after the royal address.

d) Subject

It is a case study which encompasses Brunei Darussalam. Brunei Darussalam is a Malay Muslim monarchy country governs by His Majesty, Sultan Haji Hassanal Bolkiah Mu'izzadin Waddaulah, Sultan and Yang Di-Pertuan of Brunei Darussalam. It is located in the North-west of Borneo Island, near the South China Sea. The Sultanate nation consists of four districts: Brunei-Muara, Tutong, Belait and Temburong. This study will not concentrate on specific district, yet it will comprehensively covers Brunei Darussalam as whole as a general view on the nation's administration in *zakāh* to *al-Ghārimīn* which is dominated by the *MUIB*.

1.5. Research Questions

Based on the problem statement stated, the questions may concern this study as follows:

1. What is the definition and categories of *al-Ghārimīn* in *madhhab al-Shāfi'ī* and Brunei Darussalam?
2. How the procedures of *zakāh al-Ghārimīn* disbursement are practiced in Brunei Darussalam before and after the royal address (2008-2012)?
3. What is the statistical data of the *zakāh al-Ghārimīn* between the year 2008 and 2012 and what are the main factors that caused the debt?
4. What are the effective ways to upgrade and enhance the current practice of *zakāh* disbursement to *al-Ghārimīn* and how to overcome the main factors that caused by the debt?

1.6. Objectives of the Study

This study aims for the new exposure in understanding about *zakāh* system management, specifically on *al-Ghārimīn* in Brunei Darussalam. Specific objectives of the research are as follows:

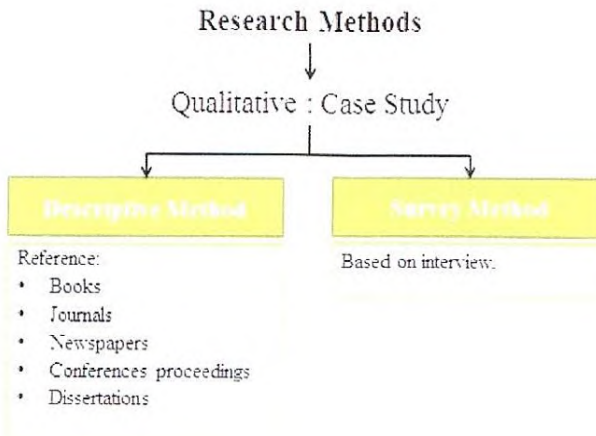
1. To determine the definition and categories of *al-Ghārimīn* in *madhhab al-Shāfi'ī* and in Brunei Darussalam.
2. To study how the procedures of *zakāh al-Ghārimīn* disbursement are practiced in Brunei Darussalam before and after the royal address (2008-2012).
3. To see the data statistic of *zakāh al-Ghārimīn* within the time limits and identifies the main factors that caused the debt.
4. To suggest ways and means in which the procedures practice of the funds can be enhanced, disbursement can be made effective as well as to suggest ways to reduce the indebtedness.

1.7. Significance of the Study

The study may contribute as:

1. A useful reference for the *MUIB* and government to know the trend and performance of *al-Ghārimīn* which they may take as pre-cautious steps to mitigate any possible risks.
2. This study can contribute as a field of knowledge for the people to know more about the definition of *al-Ghārimīn*.
3. To see how the new practice has been implemented which at once make the people to become more aware of the practice.
4. To provide recommendations to the public on how to minimize the indebted problems.
5. To provide some ideas for the *MUIB* and government on ways to improve their current *zakāh*'s service.

1.8. Research Methodology



1) Method and Approaches

As shown above, this study is a qualitative case study research which only concentrates in Brunei Darussalam. It is a based on descriptive and survey methods on the data collection. This study will use interview approaches which will be concentrating on the *MUIB*'s officers involve in management of the *zakāh al-Ghārimīn*.

a) Descriptive Method

This study used descriptive method by referring to some references, where all the information derives will be collected from books, journals, newspapers, conferences proceedings and dissertations. The aim of this method is to obtain accurate information on the practice of *zakāh* to *al-Ghārimīn* in general and based on *madhhab al-Shāfi'ī*. It is essential for this study to have a clear view or picture of what being delve into before the data collection by survey method is carried out. This data collection outlined as to achieve the first and fourth objectives of the study.

b) Survey Method

This method will be based on structured interviews with the *MUIB*'s officers that involve in the management and procedures practice of *zakāh al-Ghārimīn* in Brunei Darussalam. This structured interview is verbally administered questionnaires, in which a list of predetermined questions is asking, with some follow up questions in response for further elaboration. The aim for this method is gather relevant data that are not disclosed to public as to achieve the second and third objective of this study. The interviewees' samples are further divided into two samples:

i. Administration Unit

An officer from Administration Unit for this interview is Haji Romzi bin Haji Ghani, the Head of the Administration Unit of *BAKAZ*. The interview was conducted at Brunei Islamic Religious Council (*JMUIB*) headquarter on 22nd March 2014. The aim is to retrieve information on the practice and procedures of *zakāh al-Ghārimīn* before the royal address 2009.

ii. *Al-Ghārimīn* Unit

Two *MUIB*'s officers from this unit are assigned to attend this interview. They are Md Fahmi bin Haji Abas, an Islamic Religious Officer and Ustazah Nor Rosnehanizah binti Haji Mohdzar, an Islamic Religious Development Officer. Both are from the Ministry of Islamic Religious Affairs of Brunei Darussalam. The interview was conducted on 17th March 2014 at Bangunan Madrasah, *JMUIB*. This unit is crucially needed as to achieve the current practices of the *zakāh al-Ghārimīn* in Brunei Darussalam.

These interviewees' samples are crucially important to enable this study to come up with a clear picture on the *zakāh al-Ghārimīn* practice before and after the royal address. Furthermore, this approach aims to utilize the content as to explain and comprehend the research findings. Both of the interviewees' were provided a sample interview questions¹² in advance for the early preparations before the appointment.

2) Data Collection Procedures

The procedures of this research will be executed based on the two methods mentioned above; Descriptive method and Survey method.

a) Descriptive

- i. Determine the definition and categories of *al-Ghārimīn* based on *madhhab al-Shāfi'ī*.
- ii. Identify the gap on the definition of *al-Ghārimīn* based on *madhhab al-Shāfi'ī* and definition used in Brunei Darussalam.
- iii. Suggesting ways in which procedure of the funds can be enhanced, disbursement can be made effective
- iv. Determine ways to reduce the indebtedness based on references mentioned above.

b) Survey

- i. History, background and functions of *MUIB* and *BAKAZ* (especially for *al-Ghārimīn* unit)
- ii. Determine the definition and categories of *al-Ghārimīn* in Brunei Darussalam.
- iii. Procedures of the *zakāh al-Ghārimīn* disbursement practices in Brunei Darussalam before and after the royal address (2008-2012).
- iv. The statistic of the *zakāh al-Ghārimīn* for the year 2008-2012.
- v. Identifies the main factors that caused the debt within the time limit.

¹² Please see Appendix A : Sample of Interview Questions

1.9. Limitation of the Study

These are limitations of this study:

- The availability of data

The data collected was insufficient because the data on *al-Ghārimīn* for the year 2008 was not provided due to the misplacement in keeping the data needed. Moreover, back then, the organization kept the data manually. Yet, some information managed to be obtained by the interview conducted. However, this limitation may cause a significant obstacle for this study to achieve fully accurate findings for the second and third objective.

- Samples size

Due to time constraint this study only conducted on the *MUIB*'s officers not the *al-Ghārimīn* themselves. This study should have done a quantitative approach by giving out questionnaires for *al-Ghārimīn* as to accurately identify the main factors that caused the debt.

1.10. Expected Outcomes

The expected of this study:

1. Accomplishment of the objectives of the study.
2. Give answers to the research questions which may contribute in answering the problem statement of the study.

CHAPTER II

ZAKĀH AL-GHĀRIMĪN IN ISLAMIC PERSPECTIVE

This chapter will discuss a brief introduction on *zakāh* from its definition to its types; *zakāt al-Fiṭr* and *zakāt al-Māl*, followed by the conditions that need to be fulfilled by the *zakāh* payers before performing the *zakāh* and the conditions of the wealth before it eligible to perform *zakāh*. In addition, it will further discusses on the definitions of *aṣnāf* for the *zakāh* recipients which significantly concentrate to *aṣnāf al-Ghārimīn* based on *madhhab al-Shāfi*'ī.

2.1. *Zakāh*

Zakāh is the third pillars of Islam. It was obligated in the same Hijrah year as fasting in *Ramadhān* which was in the second year of the Hijrah. It is a foundation of the religion of Islām that is refined without a reason. The implementation of the practices and responsibility of *zakāh* brings blessing and not only gives benefits for those who perform it but also to those who receive it. The concept is not limited only to obligate what Allāh says yet it extends to the whole virtue in this world and in the hereafter.

Linguistically, the term of the words of *zakāh* means purity; purification¹³. When it implies to a person, it means to improve or to become a better person¹⁴. According to *Al-Mu'jam al-Nafā'is al-Wasī*¹⁵, it describes *zakāh* as a blessing, growth, cleanliness and betterment towards the life of the Muslims. Meanwhile the technical terms of *zakāh* refers to the determined share of wealth prescribed by Allāh to be distributed among the deserving *aṣnāf* of *zakāh* i.e. it also known as *al-Mustaḥiqqīn*¹⁶.

This word *zakāh* had been mentioned thirty times in the al-Qur'ān which is used for the references to the obligatory *zakāh* and it is always correlated with the obligatory prayers, where Allāh says:

¹³ H. Anthony Salmons. (1978). *An Advanced Learner's Arabic-English Dictionary*. Beirut: Librairie du Liban. p.324

¹⁴ Al Qaradawi, Yusuf. (2011). *Fiqh al zakāh: A Comparative Study of Zakah Regulations and Philosophy in the Light of Qur'an and Sunnah*. Monzer Kahf (trans.). Selangor: Islamic Book Trust. p.xliii

¹⁵ A.D. Ahmad 'Abuhāqah. (n.d). *Al-Mu'jam al-Nafā'is al-Wasī*. Beirut : Dār al-Nafā'is. p.521.

¹⁶ Al Qaradawī, Yusuf. (2011). *Fiqh al zakāh*. *Op.cit.* p.xliv

﴿ وَأَقِيمُوا الصَّلَاةَ وَآتُوا الزَّكَاةَ وَارْكَعُوا مَعَ الرَّاكِعِينَ ﴾

Means: “And perform al-Ṣalāh (Iqāmah al-Ṣalāh), and give zakāh, and bow down (or submit yourselves with obedience to Allāh) along with al-Rāki‘ūn^{17, 18}.”

﴿ إِنَّ الَّذِينَ ءَامَنُوا وَعَمِلُوا الصَّالِحَاتِ وَأَقَامُوا الصَّلَاةَ وَآتَوُا الزَّكَاةَ لَهُمْ أَجْرُهُمْ عِنْدَ رَبِّهِمْ وَلَا

خَوْفٌ عَلَيْهِمْ وَلَا هُمْ يَحْزَنُونَ ﴾

Means: “Truly those who believe, and do deeds of righteousness, and perform al-Ṣalāh (Iqāmah al-Ṣalāh), and give zakāh, they will have their reward with their Lord. On them shall be no fear, nor shall they grieve.”¹⁹

It further supported and strengthens through *Ḥadīth* where it was mentioned in Ṣahīh al-Bukhārī which was narrated by Ibnu ‘Umar (Raḍiallāhu ‘Anhu) where Rasūlullāh Ṣallallāhu ‘Alayhi Wasallam said:

« بُنِيَ الْإِسْلَامُ عَلَى خَمْسٍ شَهَادَةِ أَنْ لَا إِلَهَ إِلَّا اللَّهُ وَأَنَّ مُحَمَّدًا عَبْدُهُ وَرَسُولُهُ وَإِقَامِ الصَّلَاةِ وَإِيتَاءِ الزَّكَاةِ

وَحَجِّ الْبَيْتِ وَصَوْمِ رَمَضَانَ²⁰ »

Means: “Islām is built on five pillars: testify that there is no one worthy of worship besides Allāh, and testify that Prophet Muhammad is the Messenger of Allāh, perform prayer, paying zakāh, perform pilgrimage and fasting in the month of Ramaḍān.”

2.2. Types of zakāh

There are two types of zakāh. The first type is zakāt al-Fiṭr which most of people know about where it is imposed on each Muslim to be paid in the month of Ramaḍān

¹⁷ Al-Rāki‘ūn means those who are bow down.

¹⁸ Al-Baqarah. 2:43 (All Qur’anic translation in this writing based on: Muhammad Taqī-ud-Dīn Al-Hilālī & Muhammad Muhsin Khān. (1996). *Translation of meanings of The Noble Qur’an in the english language*. Madinah, Saudi Arabia: King Fahd Complex.)

¹⁹ Al-Baqarah. 2:277

²⁰ Al-Bukhārī, Muhammad bin Isma‘il bin Abdullāh. (1422H). *Kitāb al-Imān*. n.pl: Dār ‘Uawuq al-Najāh. Vol.1. p.11. no.8. (Ṣahīh)

and the second type is *zakāt al-Māl* where not most people aware about it in detail, which refers to *zakāh* that is levied on thier wealth.

2.2.1. *Zakāt al-Fiṭr*

Zakāt al-Fiṭr is an obligatory *zakāh* paid by the Muslims every year at the end of *Ramadhān*. It is sometimes called as *zakāh* of human nature (*fiṭrah*)²¹ since it is levied on individuals and not on wealth or income. This *zakāh* are obliged to perform regardless of the sex, wealth, or social status of the individual²². This *zakāh* is aims to purify the hearts and avoid one's heart from any heinous character such as self-indulgence and self-interest.

The amount to be paid for this *zakāh* is one *ṣā'* which equals to 2,176 grams if measure in wheat, if an item heavier than the wheat is used (such as rice) the amount is more than 2,176 grams should be given in order to make the volume of one *ṣā'*²³. In Brunei Darussalam, the amount of one *ṣā'* is based on the amount of 2,268 grams of rice²⁴. This amount is obligated to be paid before the sun down in the end of *Ramaḍān* with the condition that the individuals must have sufficient needs for him and those who are under his dependents.

2.2.2. *Zakāt al-Māl*

As for this type of *zakāh*, there is no exact definition had been mentioned in al-Qur'ān nor does it provides what forms of wealth are *zakātable* and how much amount of its rates to be applicable. Yet, it was mentioned as *zakāh* in general and the words of *amwāl*²⁵ is used which refers to property or wealth or earnings. The word was briefly mentioned in surah *al-Tawbah*, where Allāh says:

﴿ خُذْ مِنْ أَمْوَالِهِمْ صَدَقَةً تُطَهِّرُهُمْ وَتُزَكِّيهِمْ بِهَا وَصَلِّ عَلَيْهِمْ إِنَّ صَلَاتَكَ سَكَنٌ لَهُمْ وَاللَّهُ سَمِيعٌ عَلِيمٌ ﴾

²¹ Al-Qaradawi, Yusuf. (2011). *Fiqh al zakāh*. *Op.cit.* p.605

²² *ibid*

²³ Al-Qaradawi, Yusuf. (2011). *Fiqh al zakāh*. *Op.cit.* p.621.

²⁴ JMUIB. (2014). "Majlis Ugama Islam Negara Brunei Darussalam. Pentadbiran Zakat". *Presentation slides*. Brunei Darussalam.

²⁵ *Amwāl* is the plural of the word *māl* which means all things that people like to acquire and own, such as camels, cows, sheep, land, gold, silver etc

Means: “Take Sadaqah (alms) from their wealth In order to purify them and sanctify them with it, and invoke Allāh for them. Verily! Your invocations are a source of security for them; and Allāh is All-Hearer, All-Knower.”²⁶

This ambiguity in explaining the *zakāh* is completed by the Sunnah of the Rasūlullāh Ṣallallāhu ‘Alayhi Wasallam which gives us the customary practices on detailed specification of the kinds of *zakāt al-Māl*. Such as in the *ḥadīth* narrated by Abu Sa‘id (Raḍi allāhu ‘Anhu) where Rasūlullāh Ṣallallāhu ‘Alayhi Wasallam said:

«لَيْسَ فِيمَا دُونَ خَمْسِ دُرْدٍ صَدَقَةٌ مِنَ الْإِبِلِ، وَلَيْسَ فِيمَا دُونَ خَمْسِ أَوْاقٍ صَدَقَةٌ، وَلَيْسَ فِيمَا دُونَ

خَمْسَةِ أَوْسُقٍ صَدَقَةٌ»²⁷

Means: “No *zakāh* is due on less than five camels and no *zakāh* is due on property mounting to less than five Uqiyas (silver) and there is no *zakāh* is less than five Wasqs²⁸.”

As for now, there are various types of *zakāt al-Māl* that are classified as *māl* that are needed to perform *zakāh* such as livestock, gold, silver, money, business inventories, agricultural produce, *rikāz*, shares, bonds and etc. Different types of these *zakāh* have different amount to be paid. According to South African National Zakat Fund (SANZAF) which based on the writings of al-Qaradawi and Monzer Kahf, concluded that Muslim jurist have different opinions and rules on what *māl* that are subjected to *zakāh* where it can be categorized into three major views²⁹:

a) Literalists

Those who believe that only item specifically prescribe in al-Qur’ān and Sunnah are subject to *zakāh* such as dates, raisins, wheat, camels, asset acquired for the purpose of resale, gold and silver.

²⁶ *Al-Tāwbah*. 9:103

²⁷ Al-Bukhārī, Muhammad bin Isma‘il bin Abdullāh. (1422H). *Kitāb zakāt*. 1st ed. n.pl: Dār ‘Uawuq al-Najāh. Vol.2. p.116. no.1447. (Ṣahīh)

²⁸ *Wasqs* is equal to 60 *ṣā’*.

²⁹ South African National Zakat Fund. 2011. “Counting on Our Heritage Understanding Zakah”. <http://www.sanzaf.org.za/zakah-resources/zakah-downloads/101-understanding-zakah/file>.

b) Analogists

Those who include items similar in nature to those mentioned above but not specifically mentioned by the Rasūlullāh *Ṣallallāhu 'Alayhi Wasallam* such as vegetables, buffalo, debt, wages, salaries, professional income, and return generated by fixed assets.

c) Rationalists

Those who include all the above as well as contemporary items of income and wealth which includes fixed assets.

2.3. Conditions for *zakāh*

There are two conditions that are needed in performing the *zakāh*. First condition is applied to the condition of the *zakāh* payers and the second condition is relates to *al-Māl* that is needed to be fulfilled before the ones can pay the *zakāh*.

2.3.1. Conditions related to the *zakāh* payers

Generally, there are defined conditions that must be met before ones are obliged to pay *zakāh*. Majority of the Muslim jurists agreed that *zakāh* is obligatory on every Muslims who have reached the age of puberty (sane adult), have a sound mind, and free from captives³⁰.

2.3.2. Conditions related to *zakāt al-Māl*

It was concurred that there are four requirements needed before ones can pay *zakāt al-Māl*. The four requirements³¹ are:

a) Ownership

There must be a full ownership of the items that are subjected for *zakāh* or the *zakāh* payer has full or legal ownership of the items.

³⁰ Wahbah al-Zuhaili. (1994). "*Fiqh & Perundangan Islam*". Md.Akhir Haji Yakoob (trans). Malaysia: Percetakan Dewan Bahasa dan Pustaka. Vol.2. pp 829-830

³¹ Al Qaradawi, Yusuf. (2011). *Fiqh al-zakāh*. *Op.cit.* p.75-105.

b) Growth

The subjected items must be either a growing items or is itself a result of a process of growth. In other words, anything where productivity is possible, though it is not an actual as long as the property has been in the possession of the owner or his agent. This includes money, gold, silver and merchandise which have a potential growth i.e. through trade.

c) *Niṣāb*

It is a minimal value for the requirement for *zakāh* where the amount of *niṣāb* must be above what is needed to satisfy the immediate demands of the payer, which includes family responsibilities and any due debt incurred.

In the legal context, the minimal amount imposed is 2.5%. The payment of *zakāh* can be either in the form of property owns or in monetary equivalent. Yet, the 2.5% is not a strictly fixed amount and it may be modified depending on the zakatable items because the *niṣāb* of zakatable items were found limited to those mentioned in the *Ḥadīth*. Thus, scholars like Kahf, Iqbāl and Abu Sa'ūd suggest a review on *zakāh* coverage; its *niṣāb* is accordance to changes in wealth composition over time in order to increase the collection of *zakāh*.³²

d) *Hawl*

The possession of the subjected items must pass one Hijrah year or since the *zakāh* was last calculated and paid on them, for *zakāh* to be due on them. This condition is strictly applied to livestock, money and business asset.

2.4. *Aṣnāf* of *zakāh*

The *aṣnāf* for *zakāh* recipients has mentioned clearly in surah *al-Tāwbah* as one of the *aṣnāf* in al-Qurān verse 60 where Allāh *Subḥānahu wa Ta'ālā* says,

³² Wan Marhaini, Shamsiah Mohamad. "Classical Jurists' View on the Allocation of Zakat: Is Zakat Investment Allowed". *Middle-East Journal of Scientific Research* 12. n.p: IDOSI Publications. 2012. p.196.

﴿ إِنَّمَا الصَّدَقَتُ لِلْفُقَرَاءِ وَالْمَسْكِينِ وَالْعَمِلِينَ عَلَيْهَا وَالْمُؤَلَّفَةِ قُلُوبِهِمْ وَفِي الرِّقَابِ وَالْغَرَامِينَ وَفِي

سَبِيلِ اللَّهِ وَابْنِ السَّبِيلِ فَرِيضَةٌ مِّنَ اللَّهِ وَاللَّهُ عَلِيمٌ حَكِيمٌ ﴿٦٠﴾

Means: “*Al-Sadaqāh (here it means Zakāh) are only for the poor and for the Fuqarā’ (poor) and al-Masākin (the poor) and those employed to collect (the funds), and to attract the hearts of those have been inclined (towards Islām), and to free the captives, and those in debt, and for Allāh’s cause (i.e for Mujāhidūn – those fighting in a holy battle), and for the wayfarer (a traveller who is cut off from everything); a duty imposed by Allāh. And Allāh is All-Knower, All-Wise*”³³

This ayah shows the validity of those who are entitled to be given *zakāh*. These have been identified as:

i. The poor (*Fuqarā’*)

Those who do not have enough basic necessities to take care his needs and those who are under his dependents.

ii. The needy (*al-Masākīn*)

Those whose earnings do not cover their basic necessities yet this category are better than the poor with regards in satisfying their basic needs.

iii. Those who collect the *zakāh* (*‘Āmil*)

Those who are appointed by the authorized *zakāh* institutions to administer the *zakāh* fund. The duty is mainly involved with the collection process of the funds to its disbursement.

iv. Those whose hearts are inclined towards Islām (*Mu’allaq*)

Those people who just have embraced and accepting Islām as their religion. The intentions in giving their *zakāh* are to solidifying their hearts and to bring them closer to the beauty of Islām.

³³ *al-Tāwbah. 9:60.*

- v. Those whose are the captives or slaves that need to be free. (*al-Riqāb*)

It is applied to the slaves who want to free themselves from their master and they don't have money to buy their freedom in which *zakāh* fund may be used to free them from bondage.

- vi. Those fights for the sake of Allāh (*Fī Sabīlillāh*)

Those who are fight in the cause of Allāh which includes those who are in Jihād and those who are seeking knowledge of Allāh.

- vii. Those who in debt (*al-Ghārimīn*)

Those who are in debt and unable to pay his debt in which the debts incurred is not in an act contrary to Islamic law.

- viii. The wayfarer who need help (*Ibnu Ṣabīl*)

It concerns to a traveller who left his home for lawful purposed which do not, contrary to Islām, whose stranded and do not have enough money to return home, even if he is rich in his own country.

These are the eight *aṣnāf* that are eligible to receive *zakāh*. Nevertheless, there are different opinions from different *madhhab* on how to interpret the conditions of these *aṣnāf* especially the terms of criteria these *aṣnāf* is defined as to what extent they are eligible to receive *zakāh*.

2.5. *Al-Ghārimīn* based on *madhhab al-Shāfiʿī*

According to Prof. Madya Dr Abdullah, the birth of *madhhab* is due to the ijtihād practice in which slowly developing since the reign of Rasūlullāh *Ṣallallāhu ʿAlayhi Wasallam* and continued to evolve after his death by his companions whose migrates to the Islamic emerging countries³⁴. Generally speaking, *madhhab* was formed widely when the sources of revelation by Allāh is no longer obtained after the death of the prophet together with the migrations of the companions. The famous four *madhhab* that had been in Islām are *madhhab Hanafī*, *madhhab Mālikī*, *madhhab al-Shāfiʿī* and

³⁴ Prof. Madya Dr. Abdullah Abu Bakar. (1998). *Kedudukan Mazhab dalam Fatwa*. Kuala Lumpur, Malaysia: Institut Kefahaman Islam Malaysia (IKIM), p 65.

madhhab Hanbalī. These *madhhab* becomes the guideline and policy makers of the Muslim in determining their path of life as a Muslims.

2.5.1. *Madhhab al-Shāfi'ī*

Madhhab al-Shāfi'ī is one of school of thought that was pioneered by Muhammad ibnu Idrīs al-Shāfi'ī or famously known as Imam al-Shāfi'ī. To compare with others *madhhab al-Shāfi'ī* is one of the most restrict *madhhab* in giving law and rulings relates to *'aqīdah*. As for Brunei Darussalam, it has mentioned in the 1959 Brunei Constitution³⁵ in Section 2 Interpretation, it states:

"Islamic Religion" means the Islamic Religion according to the Shafeite sect of Ahlis Sunnah Waljamaah"³⁶

Other than this, the *al-Shāfi'ī* sect also used in the Islamic Religious Council and *Kadi Courts* Chapter 77 Section 43(1), which states:

*"In making and issuing any ruling in manner hereinbefore provided the Majlis and the Legal Committee shall ordinarily follow the orthodox tenets of the Shafeite sect."*³⁷

This indicates that Brunei Darussalam is using *al-Shāfi'ī* not only as the official religion, but likewise as a core reference in any ruling that relates to *'aqīdah* of all Brunei Muslims residents which can be implicated in *zakāh* matters.

2.5.2. Definition of *al-Ghārimīn*

As clearly mentioned earlier, the core convergence of this study is on *al-Ghārimīn* which concentrates to see in the basis of *madhhab al-Shāfi'ī*. By definition, *al-Ghārimīn* is those who are indebted which include those who do not own *niṣāb* above what is needed to pay their debt. This definition is agreed among the *Jumhūr*³⁸.

³⁵ 1959 Brunei Constitution is the mother of law in Brunei Darussalam in which it was further amended in 1971, 1984, 1986 and again in 2004 based on the status quo of the government.

³⁶ Prime Minister's Office. (2004). *"Dokumen-dokumen Perlembagaan / Constitutional Documents"*. Brunei Darussalam: Jabatan Percetakan Kerajaan. p.41.

³⁷ Office of the Attorney General. (1984). *"Laws of Brunei"*. England, London: Eyre & Spottiswoode Ltd, Her Majesty's Printers. p.27.

³⁸ *Jumhūr* means the majority of the jurists.

However, there is a different view regarding on the categories of *al-Ghārimīn* where some *madhhab* has different interpretation on the categories³⁹.

2.5.3. Categories of *al-Ghārimīn*

According to *Kitab Al Umm*, Summary of Imam al-Shāfi'ī, *al-Ghārimīn* categories are further classified into two categories⁴⁰:

- 1) Those who are indebted for the sake of other people or for the sake of their personal use, whether it is contrary to Islām or not with the conditions that he or she must repent.
- 2) Those who are indebted due to support other people or in such for the interest of peace or to reconcile the dispute of the people.

Meanwhile based on Al Jaziri Syekh Abdurrahman⁴¹, it further classifies *al-Ghārimīn* categories into three i.e. those who are indebted for the sake of their personal use, whether it is contrary to Islām or not with the conditions that he or she must repent and those who are indebted due to support other people, which a condition that they both having hardship to settle the debt, in which he bears the debt voluntarily without the consent of the person he supported, are eligible to receive *zakāh* during the hardship, although the person he supported already obtains amenities shall be given the *zakāh* based on size limits that he cannot afford to pay. In addition, those who are indebted for the sake of other people shall be given the *zakāh* even if he is rich and capable to pay.

³⁹ See: Wahbah al-Zuhaili. (1994). "*Fiqh & Perundangan Islam*". *Op.cit.* pp 956-957.

⁴⁰ Imam al-Shāfi'ī. (2004). "*Ringkasan Kitab Al Umm*." Mohammad Yasir Abd Muthalib (trans). Indonesia: Pustaka Azzam. Vol.1. p.501

⁴¹ Al-Jaziri Syekh Abdurrahman. (1996). "*Fiqh Empat Madzhab*". Prof.H.Chatibul Umam & Abu Hurairah (trans.). Jakarta, Indonesia: Darul Ulum Press. pp 166-167

CHAPTER III

ZAKĀH AL-GHĀRIMĪN IN BRUNEI DARUSSALAM

This chapter will discuss briefly on the functions of the *zakāh* management institution in Brunei Darussalam along with the responsible entities under the institution that carry responsibilities in managing the *zakāh* especially on *al-Ghārimīn*. Then, this chapter will explain on the procedures of *al-Ghārimīn* in which it will indicate the definition and categories of *al-Ghārimīn* used in Brunei Darussalam as well as to study on the system used on *zakāh* management practice of *al-Ghārimīn*.

3.1. The Islamic Religious Council of Brunei Darussalam (MUIB)

MUIB is a statutory body that is responsible in determining the administrative direction and policy of the Islamic Religious of Brunei Darussalam in which the execution of the policies are supported and enforced by the Ministry of Religious Affairs. The core duties and responsibilities of this body are to give assistance and advice to His Majesty the Sultan Haji Hassanal Bolkih Mu'izzadin Waddaulah, Sultan and Yang Di-Pertuan of Brunei Darussalam in all matters that relate to Islam. The hierarchy of the *MUIB* can be seen in Figure 1.

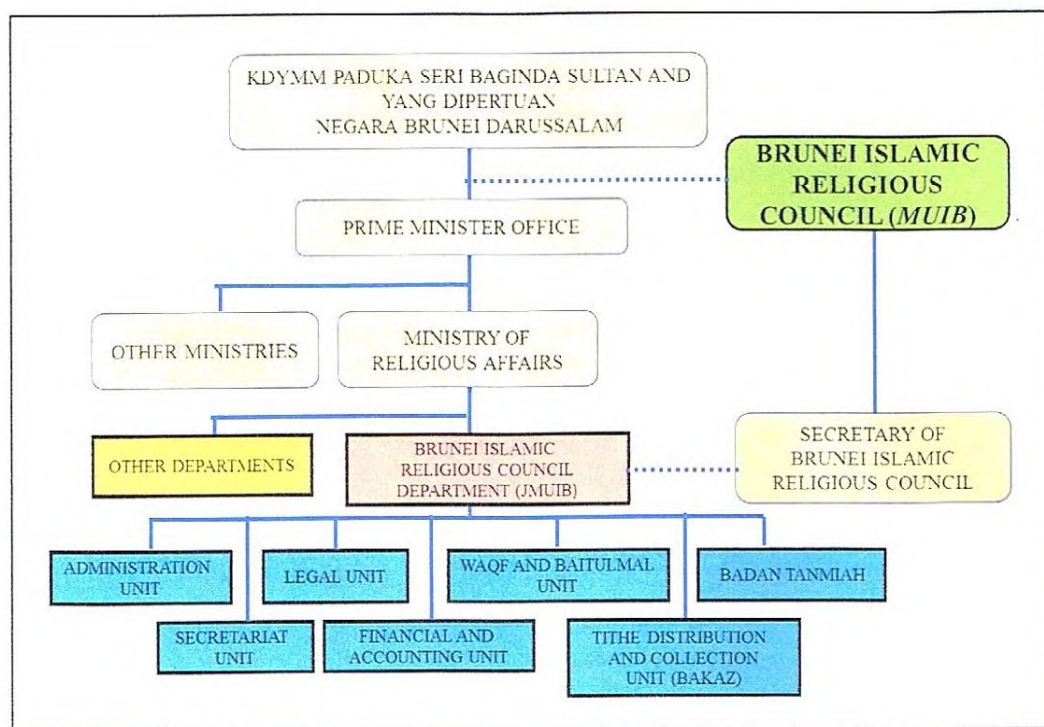
As for the appointment of the members of the Council⁴², the power of appointment is dominated by His Majesty the Sultan Haji Hassanal Bolkih Mu'izzadin Waddaulah, Sultan and Yang Di-Pertuan of Brunei Darussalam. These appointments are made in every three year. As for now the members are held by:

- “*Yang Di Pertua Majlis*” - The Minister of Religious Affairs of Brunei Darussalam.
- “*Naib Yang Di Pertua*” - The Deputy Minister of Religious Affairs of Brunei Darussalam
- Members of the committee, which consists of various superiority members such as the Ministers, Deputy Ministers, *Pengiran-Pengiran Cheteria*, Religious Officers, Legal experts and others that relates to the council.

⁴² Haji Romzi bin Haji Ghani. *Interview*. BAKAZ. JMUIB. 22nd March 2014.

Figure 1

Organization Structure of the Islamic Religious Council of Brunei Darussalam
(*MUIB*)



Source: Brunei Islamic Religious Council Department (*JMUIB*)

This body is also responsible in managing matters that relate to *zakāh* where one institution was established which specifically has given an authorization by the Council in managing the *zakāh* funds in Brunei Darussalam. The institution is Brunei Islamic Religious Council Department (*JMUIB*).

3.2. Brunei Islamic Religious Council Department (*JMUIB*)

JMUIB serves as the secretariat of *MUIB* to undertake the duties and controls of the body in which had been stated under the Religious Council and *Kadi* Courts, Chapter 77, and any other laws or acts that are related with the *MUIB*. It is under the Ministry of Religious Affairs. This institution is led by the Secretary of Islamic Religious Council which was appointed under the Religious Council and *Kadi* Courts, Chapter 14.

3.2.1. Functions of *JMUIB*

The duties and responsibilities of the *JMUIB* are outlined in the Prime Minister Office's Letter of Notification number 06/2005. The responsibilities⁴³ are:

- 1) To manage the administration affairs of *MUIB* and any related matters, including the committee under the Council.
- 2) To assist in providing policies and legislation related to the interest of the Muslims and Islamic religion.
- 3) To administer and manage the *zakāh* funds, *Bayt al-Māl* and *Waqf*.
- 4) To do research regarding on issues that relates to the Islamic religion.
- 5) To administer and implement the Religious Council and *Kadi* Courts, Chapter 77 along with any related laws or acts that is relating to it.

3.2.2. Divisions under *JMUIB*

There are six division units and one body established under *JMUIB*⁴⁴. Each division conveys significant responsibilities as a secretariat of *MUIB*. The divisions⁴⁵ are:

- 1) Administration Unit
- 2) Secretariat Unit
- 3) Legal Unit
- 4) Financial and Accounting Unit
- 5) *Waqf* and *Baitul Māl* Unit
- 6) Tithe Distribution and Collection Unit (*BAKAZ*)
- 7) *Badan Tanmiah*

3.3. The Tithe Distribution and Collection Division (*BAKAZ*)

Under *JMUIB*, one division was established which serves as the driving force in enforcing the *zakāh*. The division is Tithe Distribution and Collection (*BAKAZ*). It merely serves its vital role as an independent *zakāh* institution in which it is regulated

⁴³ Haji Romzi bin Haji Ghani. *Interview*. *BAKAZ*, *JMUIB*. 22nd March 2014.

⁴⁴ Please refer to Figure 1 : Organization Structure of the Islamic Religious Council of Brunei Darussalam (*MUIB*)

⁴⁵ Haji Romzi bin Haji Ghani. *Interview*. *BAKAZ*, *JMUIB*. 22nd March 2014.

under the dominant power of *MUIB*. The core duty of this division is to manage the *zakāh* funds of Brunei Darussalam efficiently based on the Islamic teachings.

3.3.1. Objectives of *BAKAZ*

These are the objectives of *BAKAZ*⁴⁶:

- 1) Strive to create awareness within the Muslim community regarding the obligation to give *zakāh*.
- 2) To improve the collection of *zakāh* within the Muslim community.
- 3) To diversify distribution of *zakāh* through specific schemes.
- 4) To assist *mustahiqqīn*⁴⁷ to improve their lives through effective and organized distribution scheme.
- 5) To provide information and awareness to the community of those who are eligible to receive *zakāh*.

3.3.2. Functions of *BAKAZ*

The vital role of *BAKAZ* is to collect and receive *zakāt al-Fiṭr* and *zakāt al-Māl* from its application process to the execution of investigation and appropriate action such as visiting and interviewing the applicants. Then, it will subsequently manage the disbursement of *zakāh* to those who are entitled to receive it.

BAKAZ also becomes the secretariat on all *zakāh* application reviews and disbursement made by the Committee. Other than that, it also held responsibilities on the appointment of '*Āmil*, providing the listing for the *Fuqarā'* and *al-Masākīn* and the *Mu'allaf*⁴⁸.

3.3.3. Divisions under *BAKAZ*

BAKAZ is further divided into eight divisions⁴⁹, namely:

- 1) Administration Unit

⁴⁶ Kementerian Hal Ehwal Ugama. 2014. "Unit Kutipan dan Agihan Zakat". *Kementerian Hal Ehwal Ugama: Unit Kutipan dan Agihan Zakat*. "http://www.religious-affairs.gov.bn/index.php?ch=bm_muib&pg=bm_muib_profil&ac=1036"

⁴⁷ *Mustahiqqīn* means a person who entitled to received *zakāh*.

⁴⁸ Kementerian Hal Ehwal Ugama. 2014. "Unit Kutipan dan Agihan Zakat". *Kementerian Hal Ehwal Ugama: Unit Kutipan dan Agihan Zakat*. "http://www.religious-affairs.gov.bn/index.php?ch=bm_muib&pg=bm_muib_profil&ac=1036"

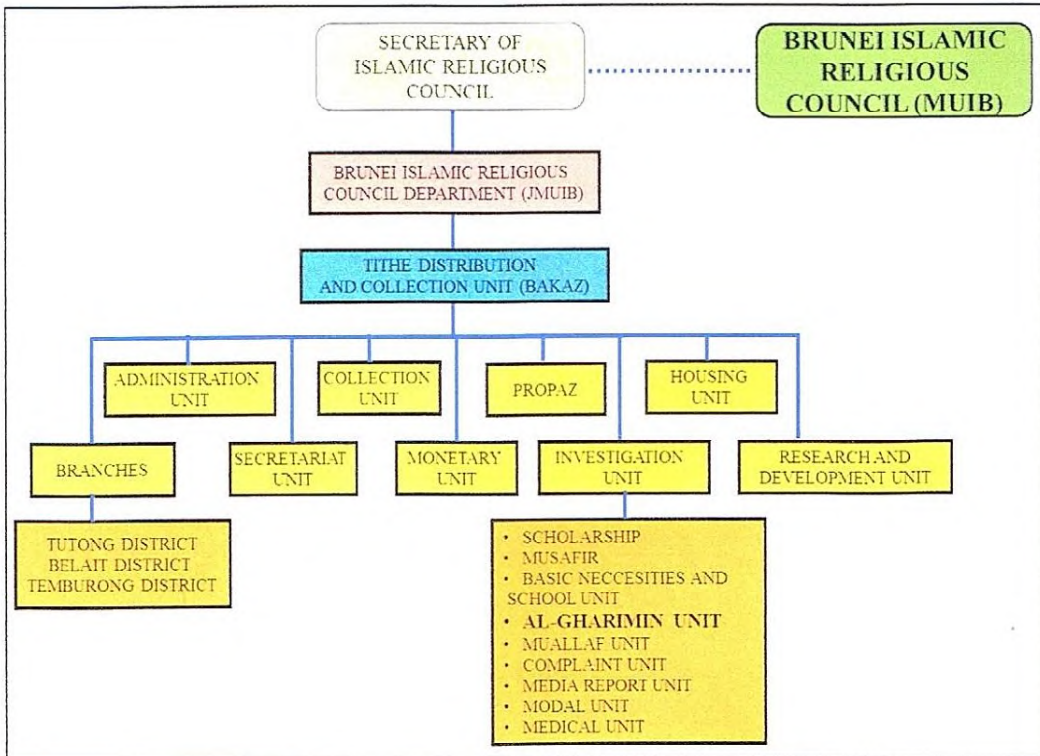
⁴⁹ Haji Romzi bin Haji Ghani. *Interview*. *BAKAZ, JMUIB*. 22nd March 2014.

- 2) Secretariat Unit
- 3) Collection and Accrual Unit
- 4) Monetary and Accounting Unit
- 5) PROPAZ⁵⁰ Unit
- 6) Investigation Unit
- 7) Housing Unit
- 8) Research and Development Unit

This study will comprehensively concentrate on *al-Ghārimīn* unit under the Investigation Unit of *BAKAZ*. As a summary, the structure of organization of *BAKAZ* and *al-Ghārimīn* unit can be seen as follows:

Figure 2

Organizational structure of the Tithe Distribution and Collection Unit (*BAKAZ*)



Source: Brunei Islamic Religious Council Department (JMUIB)

⁵⁰ PROPAZ stand for *Program Pengupayaan Asnaf Zakat (Fakir dan Miskin)*. The program aims to provide training and skill to poor and needy recipients so that they are able to upgrade thier life and able to alleviate their poverty. This program is conducted in cooperation between the Ministry of Religious Affairs and Youth Development Centre, Ministry of Culture, Youth and Sports.

Al-Ghārimīn unit was established in January 2009 shortly after the royal address in Brunei Islamic Religious Council Conference 2009. It was under the Investigation division where the main function of this unit is as a secretariat member in investigating, evaluating, and making certification authority based on the guideline of *aṣnāf al-Ghārimīn*. This unit is managed by five (5) officers whom consist of three (3) official officers and two (2) clerks. The objective of this unit is in line with the objectives of BAKAZ as to perform their duties and responsibilities in managing the *zakāh* for the sake of Allāh, Islām and Muslim community.

3.4. *Al-Ghārimīn* in Brunei Darussalam

Prior to the royal address, there is no specific unit established in handling *al-Ghārimīn* matters, the management for this type of *aṣnāf* was handle equally within the division. There is also no standardization of categories and operational procedures made especially for *al-Ghārimīn* in which the procedures are based on the general practices of the *aṣnāf*.

3.4.1. Definitions of *al-Ghārimīn*

In the context of Brunei Darussalam, *al-Ghārimīn* is defined as a Muslim who is indebted in the case that is approved by Islamic law.

3.4.2. Categories of *al-Ghārimīn*

Prior to the year of 2009, categories of *al-Ghārimīn* were classified as follows⁵¹:

1. Those who are indebted because of the building of the mosque, prayer house, devotions hall and anything related to the welfare and interest of the public.
2. Those who are indebted to build the religious schools.
3. Those who are indebted who cannot resolve his debt. However, this category of *al-Ghārimīn* was already classified as the *Fuqarā* and *al-Masākīn*.

After the royal address, massive applications for this *zakāh* were received which led to the establishment of *al-Ghārimīn* unit and the standardization of the

⁵¹ Haji Romzi bin Haji Ghani. *Interview*. BAKAZ, JMUIB. 22nd March 2014.

categories of *al-Ghārimīn*. The category of *al-Ghārimīn* consists of two different categories⁵²; category A and category B.

a) Category A

This category fully deals with any debt that relates to housing scheme under Housing Development Department (HDD)⁵³. It further divided into another two categories, namely: category A1 and category A2&A3.

i. Category A1

Category A1 consists of *al-Ghārimīn* who is already categorized by the *BAKAZ* as the *Fuqarā* and *al-Masākīn* i.e. they are the poor and needy that have debt to be settled.

ii. Category A2 & A3

On the other hand, category A2 & A3 consist of *aṣṇāf al-Ghārimīn* that is not categorized as the *Fuqarā* and *al-Masākīn*. Generally speaking, this category consists of those who are rich and able to work yet the burden of indebtedness caused him hardship in which he cannot satisfy his needs and people under his dependent.

Majority of the recipients in these two categories do not ask for the *zakāh* assistance to resolve their debt. They receive it upon the investigation made by the Unit.

b) Category B

This category B deals with all other types of debt that are excluded from the first category. As for now, there are thirteen (13) considerable types of debt that are classified under this category, such as utility bills, legal debt, financing loan, etc. This category consists of those who are applied for the *zakāh* assistance due to the immense hardship they incur.

⁵² Md Fahmi bin Haji Abas. *Interview*. Bangunan Madrasah, JMUIB. 17th March 2014

⁵³ Housing Development Department (HDD) or known as *Jabatan Kemajuan Perumahan* is under the Ministry of Development of Brunei aims to provide the citizen of Brunei Darussalam long-term housing scheme.

Table 1
Difference on definitions and categories of *al-Ghārimīn*

	<i>MADHHAB SHĀFI'Ī</i>	BRUNEI DARUSSALAM
Definitions	Those who are indebted which include those who do not own niṣāb above what is needed to pay their debt	Those who are indebted in the case that is approved by Islamic law.
Categories	<ol style="list-style-type: none"> 1. Those who are indebted for the sake of other people or for the sake of their personal use, whether it is contrary to Islām or not with the conditions that he or she must repent. 2. Those who are indebted due to support other people or in such for the interest of peace or to reconcile the dispute of the people. 	<ol style="list-style-type: none"> 1. Those who are indebted fully deals with any debt that relates to housing scheme under Housing Development Department (HDD) 2. Those who are indebted all other type of debt that are excluded from the first category.

As shown above, the definition of *al-Ghārimīn* in Brunei Darussalam conveys quite similar albeit the *MUIB* did not mention regarding on the *niṣāb* yet they generalize it by stating that they will consider any *al-Ghārimīn* as long as their cases are approved by Islamic law i.e. include all conditions needed for the *zakāh* payer and the wealth. Furthermore, literally, the definition on the categories of *al-Ghārimīn* are quite distinct but the explanation on the terms used by the *MUIB* for these classification of these categories, it shows that the two categories are actually in line with the two categories of *al-Ghārimīn* classified by Imam al-Shāfi'ī in *Kitāb Al Umm*. For example: the first category based on *madhhab shāfi'ī* clearly mentioned that *al-Ghārimīn* is classified as those who are indebted for the sake of other people or for the sake of their personal use. Meanwhile in Brunei Darussalam, this category can be seen in both of the categories by types of debt⁵⁴

Despite the definitions and categories are not quite clearly resemble, yet the underlying explanation are correlated with the practice of *madhhab al-Shāfi'ī* in which

⁵⁴ Please refer to Chapter IV.

this indicates that Brunei Darussalam itself has managed to perform the practice of *madhhab al-Shāfiʿī* as its core reference in managing the *zakāh* matters aligned with its Islamic Law in Brunei Darussalam.

3.4.3. Eligibility of *al-Ghārimīn*

The eligibility of this *aṣṇāf* has no difference with other five *aṣṇāf* in which they must meet the following general requirements that have been regulated by the *BAKAZ*. The requirements⁵⁵ are:

- 1) Muslims
- 2) The Citizen of His Majesty Sultan Sultan Haji Hassanal Bolkiah Mu'izzadin Waddaulah and Yang Di-Pertuan of Brunei Darussalam (Yellow Identity Card holder) or the Permanent Resident of Brunei Darussalam (Purple Identity Card holder).
- 3) Non-citizens or Permanent Residents of Brunei Darussalam must reside in the Brunei Darussalam continuously for at least six (6) months (green Identity Card holder).
- 4) Unable to work because of age or disability
- 5) Unable to work due to sickness (Confirmation letter from doctor if applicable)
- 6) Does not have the financial resources or income or fixed assets.
- 7) Does not have any working children.
- 8) Do have income yet it is not sufficient.

The need of these requirements is to access the general information on the applicants as an initial screening to ensure they meet the eligibility criteria of *al-Mustaḥiqqīn*. This application then will be pursued by respective responsible unit. Moreover, some of these general requirements are not fully needed to fill, in which it can be or not be fulfilled based on the situation of the subjected applicants.

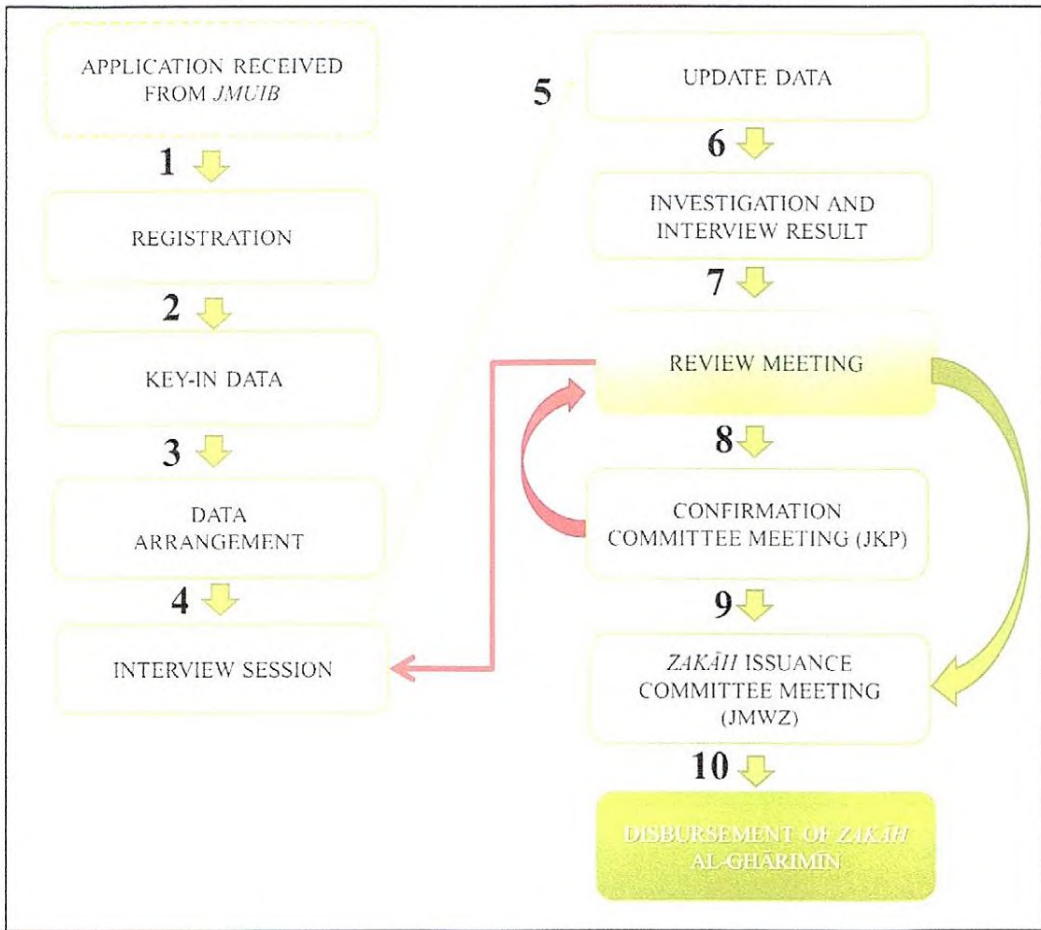
⁵⁵ BAKAZ. 2008. "Permohonan dan Agihan". *BAKAZ*. http://www.zakat-muib.gov.bn/subindex.asp?id=A074_08

3.4.4. Operational Procedures of *al-Ghārimīn*

A standard procedure for the management of *zakāh* plays an important role to make sure the effectiveness of the collection and disbursement of *zakāh* as to reach out for those who are entitled to receive it. Before the royal address 2009 mentioned in the problem statement, the procedures on *al-Ghārimīn* already existed, yet it only comprised on those who were indebted who were already categorized as the *Fuqarā* and *al-Masākīn* in which the procedures was based on the general application procedures of the *al-Fuqarā*' and *al-Masākīn*. Thus, there was no standard procedure made especially for *al-Ghārimīn* applicants before the year 2009.

Soon after the royal address, a massive application forms as much as 862 *al-Ghārimīn* applications were received by the *JMUIB*. Shortly after that, *al-Ghārimīn* unit was established as to merely concentrate on *al-Ghārimīn zakāh* applications. These applications are then processed based on the new standard application procedures issued by the Council. The summary of the application procedure can be seen as follows:

Figure 3
Application procedures for *al-Ghārimīn* in Brunei Darussalam



Source: *al-Ghārimīn Unit, Islamic Religious Council Department (JMUIB)*

These are the steps of application procedures for *al-Ghārimīn* in Brunei Darussalam that are conducted by *al-Ghārimīn Unit*⁵⁶:

1. Registration

The applicants can apply this *zakāh* of *al-Ghārimīn* by applying directly to *JMUIB* by letter and complete the general application form issued by the *MUIB*. This form is available at the reception counter of *JMUIB*⁵⁷. Once the application form is submitted, the Administration Unit will send it to *al-Ghārimīn* unit to be processed and investigated. Upon the acceptance application from *JMUIB*, the applications will be registered in the *zakāh* log system and it will be given a reference number as to

⁵⁶ Md Fahmi bin Haji Abas and Ustazah Nor Rosnehanizah binti Haji Mohdzar. *Interview*. Bangunan Madrasah, JMUIB. 17th March 2014

⁵⁷ Please refer to Appendix B : General application form for *zakāh* in Brunei Darussalam

facilitate the Unit tracking down the process of the respective applicants. The registrations are made by phases. As for now there are already three phases of the application process of *al-Ghārimīn*⁵⁸. These three phases of the applications process will be executed by phases.

2. Key-In Data

After registering *al-Ghārimīn* application form, the Unit will key-in all related data of the recipients into the system. The data system records all applicants detail such as their personal details, dependents details, financial records, reasons of the debt etc.

3. Data Arrangement

Thereafter, the data will be grouped into the sub-districts of the four districts of Brunei Darussalam. This allocation aims to help the Unit to conduct the interview session with the applicants in an organized manner.

4. Interview Session

After the data arrangement, the Unit will then contact the applicants to make an interview appointment with them and they are obliged to fill another application forms provided by the Unit. The forms are “*Borang Permohonan Wang Zakat Asnaf Al-Gharimin*⁵⁹” especially for the applicants and “*Borang Keterangan Anak Pemohon*⁶⁰” for his/her children. These forms need to be filled in advance before the interview session. The respective applicants shall be interviewed by *al-Ghārimīn* officers on the agreed time. Upon interviewing the applicants, the officers shall come up with a figure that will be treated as an initially approved amount and gather all the information based on their respective conditions for decision-making.

The aim of this interview conducted is to further understand the current situation of the applicants, which at once aims to investigate the validity of the information given in the application form. The Unit also does an outfield investigation by collaborating with other parties involved such as Ministry of Finance (MOF), the

⁵⁸ Please refer to Chapter IV, Table 2 : Summary of applications received for *zakāh al-Ghārimīn*.

⁵⁹ Please refer to Appendix C : “*Borang Permohonan Wang Zakat Asnaf Al-Gharimin*”

⁶⁰ Please refer to Appendix D : “*Borang Keterangan Anak Pemohon*”

Banks⁶¹, HDD etc. This investigation activity aims to clarify the authenticity of debt and its amount.

5. Update Data

After the interview session was done, the Unit will prepare the report based on the result of the interview and investigation. The new data retrieved will be updated in the system.

6. Meeting Agenda

After updating the investigation and interview report, the Unit then will prepare minutes for the review meeting. This meeting aims to further review and ratify the applications in which it will bring forward for approval of issuance of the *zakāh* in the *Zakāh* Issuance Committee Meeting (JMWZ).

7. Review Meeting

This meeting is led by the Secretary of the Council along with the secretariats members of *BAKAZ*, representative from MOF and Public Service Department, *al-Ghārimīn* Unit committee members etc. The aims of this meeting are to review back all the application forms along with the result of the interview and investigation done by the Unit and to advocate the applicants to the next meetings. If the information found to be insufficient, this Unit will refer back the previous steps by interviewing again the applicants. If the information is already fully adequate, the summary of updates, reports will be brought either in Confirmation Committee Meeting (JKP) for severe case which involves a large amount of debt as to check deeply in the case or directly bring forward in the JMWZ for minor case which had sufficient information to advocate.

8. Confirmation Committee Meeting (JKP)

JKP is a ratification meeting that is held by *JMUIB* members along with some of the members of the Council; Deputy Mufti of Brunei Darussalam and the *Sharī'ah* High

⁶¹ The banks refers to both conventional and Islamic banks in Brunei Darussalam such as Bank Islam Brunei Darussalam (BIBD), Baiduri Berhad Bank, Hongkong and Shanghai Bank (HSBC), Standard Chartered Bank (SCB), Citibank, Maybank etc

Court Judge. This meeting aims to provide a confirmation pertaining that these applicants are eligible to receive the *zakāh* of *al-Ghārimīn*.

9. *Zakāh* Issuance Committee Meeting (JMWZ).

After the ratification meeting, these applications will be presented to *Yang Di Pertua Majlis* of the Islamic Religious Council, *Naib Yang Di Pertua* and all of the members of the committee for approval confirmation on the disbursement of the *zakāh al-Ghārimīn*. The approval is based on the deliberation by the Council members in reaching consensus to make a decision.

10. Disbursement of *zakāh al-Ghārimīn*

Once the approval and confirmation are made, the updated status of the application will be entered in the system. The secretariat of *al-Ghārimīn* will send the result of their application based on the decision made by the JMWZ meeting to the respective *al-Ghārimīn* applicants. For the applicants that are entitled to receive the *zakāh*, their applications will proceed to the Monetary and Accounting Unit as to process the disbursement of *zakāh al-Ghārimīn*.

In the case that the application is rejected by the Council in JMWZ meeting, *al-Ghārimīn* Unit will provide other alternative assistance for the rejected applicants by mitigating their hardship through monthly assistance i.e. children school assistance, basic assistance etc.

3.4.5. Issues on the Operational Procedures of *al-Ghārimīn*

The existence of a newly-reformed *al-Ghārimīn* unit has marked a new standardize way to execute the performance of disbursement of *zakāh al-Ghārimīn*. Yet, there are still slight deficiency issues found in the operational procedures conducted. The issues are:

1. Lack of Human Resource

Lack of human resource capacity is the major barriers to the effectiveness of the operational process in which it caused the officers to multi-task in managing the process and even they have to seek help for any available officers from other unit to manage the interview and the investigation. Human resources for this Unit is

essentially needed as to keep pace on the applications received. In addition, this problem caused the application process running slow and took too much time to execute the disbursement process. Thus, this indicates of poor management for the execution process of application *zakāh al-Ghārimīn*.

2. Ineffective usage of the system

As for now, the Unit has their own data collection system in managing all the applications of *al-Ghārimīn*. As matter of a fact, the Ministry of Religious Affairs had already launched the modules of *Zakāh* Management System (SPZ) for *BAKAZ* on December 2008⁶². SPZ is a web base system, which comprises four main modules namely, Collection modules, *Āmil* module, Disbursement module and Accounting module. These modules aim to facilitate and speed up the execution process of the applications to be more efficient and effective.

Nevertheless, *BAKAZ* has not implemented it fully to their system. Even the Unit itself is using their own system to complete the application process. The data, sharing information is still limited and restricted in which the data sharing only held during the meetings. The advancement of the system is there yet the implementation is still far to achieve their aims⁶³.

⁶² See: BAKAZ. 2008. "Projek e-Kerajaan Kementerian Hal Ehwal Ugama". *BAKAZ*. http://www.zakat-muib.gov.bn/subindex.asp?id=A112_08

⁶³ *ibid*

CHAPTER IV

DATA STATISTIC OF *ZAKĀH AL-GHĀRIMĪN*

This chapter aims to present an overview on the data statistic of the application process of *aṣṅāf al-Ghārimīn* within the time limit of 2008 until 2012. This includes varieties types of debt that had been considered by *BAKAZ* within the time limit in which it will give a whole picture of the main factors that led to indebtedness in Brunei Darussalam. Lastly, this chapter will provide the current execution process that had been approved by the *MUIB*. Nevertheless, there will be no data figures by amount will be provided as this may concern to the issue of confidentiality. However, the data will be presented by percentage and number. The data was extracted from the interview with *al-Ghārimīn* unit⁶⁴.

4.1.Application Process

As mentioned from the previous chapter, the operation of collection and distribution of *zakāh al-Ghārimīn* are done in phases. Up to this time, there are three phases have been classified, in which each phase was done in the agreed time range. The phases are shown below:

Table 2
Summary of applications received for *zakāh al-Ghārimīn*

PHASE	APPLICATION RECEIVED	AMOUNT
ONE (January 2009 – December 2009)	862	26%
TWO (January 2010 – December 2010)	875	36%
THREE (January 2011 – September 2013)	1,094	38%
TOTAL	2,831	100%

Source: *al-Ghārimīn Unit, the Islamic Religious Council Department (JMUIB)*

⁶⁴ Md Fahmi bin Haji Abas and Ustazah Nor Rosnehanizah binti Haji Mohdzar. *Interview*. Bangunan Madrasah, JMUIB. 17th March 2014

Phase One

The beginning of the phase was done from January 2009 until December 2009. The Unit received a total of 862 applications in which it amounted 26% of the total three phases of debt calculated for *zakāh al-Ghārimīn*.

Phase Two

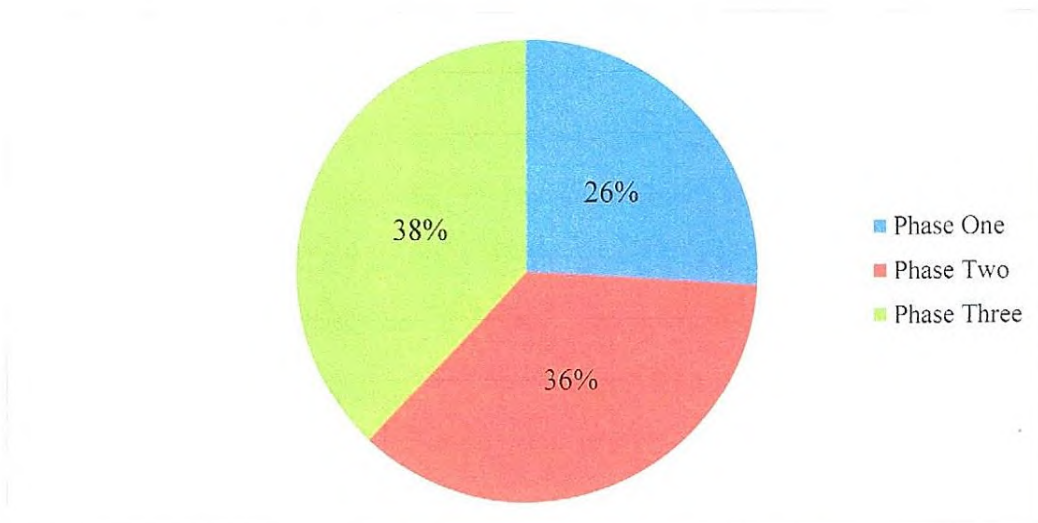
The second phase was executed from January 2010 until December 2010, with a total of 875 applications received, amounted 36% out of the total debt of the phases.

Phase Three

The last phase recorded an increase of 26.9% from the first phase with a total 1,094 application. The full amount of debt for this phase was 38% of the entire debt in three phases. The performance of the three phases by the amount of the debt incur can be viewed below in Chart 1.

Chart 1

Summary of the total amount of *aṣnāf al-Ghārimīn* applications (by percentage)



Source: *al-Ghārimīn Unit, the Brunei Islamic Religious Council Department (JMUIB)*

4.1.1. Types of debt

In Brunei, there are no specific types of debt that are categorized to entitle *zakāh* which means that any *al-Ghārimīn* applications will be entertained by the Unit regardless of how much the debt, what are the types and who are the applicants.

Nevertheless, these applications will be investigated and evaluated by the Unit as to make sure the applicants are fulfilling the requirement needed before go to the review, ratification and confirmation meeting. These are the types of debt that have been received by the Unit within the phases:

1. As Guarantor

Guarantor is a person who guarantees to pay for someone else's debt if he or she defaults on a loan obligation. This type of debt only applies for those who are indebted as a guarantor in car and housing financing loan.

2. Bankruptcy

In the case of bankruptcy, this type of debt will only be accepted for any court cases.

3. Financing Loan

This type of debt consists of business financing, credit card financing, car financing, home financing and personal financing from the banks. It also includes financing loan for merchandise or furniture.

4. Utilities bills

This type consists of a home needs bill such as electricity bill, water bill, telephone bill and gas bill. The outstanding amount of bills happened to be increasing because of the one nature delaying the payments.

5. Government Schemes

It involves any government schemes such as Car Loan Scheme, Home Loan Scheme and Housing Scheme under HDD; National Housing Plan Scheme (RPN), *Skim Tanah Kurnia Rakyat Jati* (STKRJ) and also Yayasan Housing Scheme under Yayasan Sultan Haji Hassanah Bolkiah.

6. Land Tax

This applies to the applicant that owes the outstanding amount of Land tax of Temporary Occupation License (TOL)⁶⁵ to the Land Department of Brunei Darussalam. The outstanding amount is due to the failure of the applicants in paying the annual tax i.e. up to the amount of outstanding arrears increasing year after years.

7. Legal Cost debt

An outstanding legal cost incurred by the applicants for legal proceedings of the court case.

8. Others (Government)

This includes any types of government debt such as debt from Small-Medium Enterprise (SME) financing from Brunei Industrial Development Authority (BINA⁶⁶).

9. Others (Non-government)

It consists of debt from other parties such as debt of lawsuit, disposal service, catering, curtains etc.

10. Outstanding Educational Fees

Some of the outstanding school fees received is an outstanding schools fee on scholarship for in-service government employees, and even educational fees charged for non-citizens or Permanent Residents of Brunei Darussalam (green Identity Card holder).

11. Pawn broking

Pawn is something given as security for a loan; a pledge or guaranty on the money owed. In the Islamic banking context, it was called as *al-Rahmu*⁶⁷.

⁶⁵ TOL is a license approved by the Land Department for the temporary occupation of Land in Brunei Darussalam. The license was given to the rejected land applicants and it must be renewed annually.

⁶⁶ BINA is an agency under the Ministry of Industrial and Primary Resources of Brunei Darussalam act as the first point of contract for investors who intend to set up projects in the manufacturing, co-operative, and related services sectors in Brunei Darussalam.

⁶⁷ *Al-Rahmu* is an arrangement whereby a valuable asset is placed as collateral for a debt.

12. Private debt

Private debt is money owed by individual people, households and businesses. As for now, private debt had been considered are money owed to the family members, relatives and friends.

Over time, these types of debt may vary as to act according to the recent situations and the average basic needs of the applicants in which will definitely not contrary to Islamic law. The summary of the progress of the case received by the Unit for the first, two phases can be seen as follows:

Table 3
Summary of the statistical data for *aṣṇāf al-Ghārimīn* (by number of cases)

TYPES OF DEBT	PHASE ONE ⁶⁸	TOTAL	PHASE TWO ⁶⁹	TOTAL
1. As Guarantor		-		12
2. Bankruptcy		42		38
3. Financing Loan				
- Business financing	12	675	16	1163
- Car financing	110		324	
- Credit Card financing	211		317	
- Home financing	43		62	
- Merchandise /Furniture financing	69		77	
- Personal financing	230		367	
4. Utilities bill				
- Electric bill	303	690	435	1072
- Gas bill	-		21	
- Telephone bill	123		221	
- Water bill	264		395	
5. Government Schemes				
- Home loan Scheme	7	104	11	160
- Housing Scheme	87		134	
- Vehicle scheme	10		15	
6. Land Tax		8		27
7. Legal debt		3		-
8. Others (Government)		39		42
9. Others (Non-government)		38		23
10. Outstanding Educational Fees		6		4
11. Pawn broking		14		20
12. Private debt		15		17
TOTAL		1634		2578

Source: *al-Ghārimīn Unit, the Brunei Islamic Religious Council Department (JMUIB)*

⁶⁸ Refer to Phase One : January 2009 until December 2009.

⁶⁹ Refer to Phase Two : January 2010 until December 2010.

As we can see above, the first phase shows that the utilities bill debt such as electric bills, telephone bills and water bills are the most prominent of other debts with a total of 690 cases received, and followed by financing loan debt with a total of 675 cases (i.e. dominated by car financing, credit card financing and personal financing). These debts show the pattern of increment in the second phase with a total of 1072 and 1163 cases respectively. On the other hand, the government scheme debt shows a slight increase from the first phase with an increase of 54 cases in the second phase, which clearly contributed by the government housing scheme.

Others debt such as guarantor, bankruptcy, land tax, legal debt, others debt from government and non-government organizations, outstanding educational fees, pawn broking and private debt are in their minimal position with a slight increment and decrement from the first phase. The absence of the third phase somehow giving a restricted view on the current number of cases received yet, the amount for the third phases can be seen in Chart 4⁷⁰. Moreover, the progress pace of the application cases received is correlated with the amount of the debt incurred.

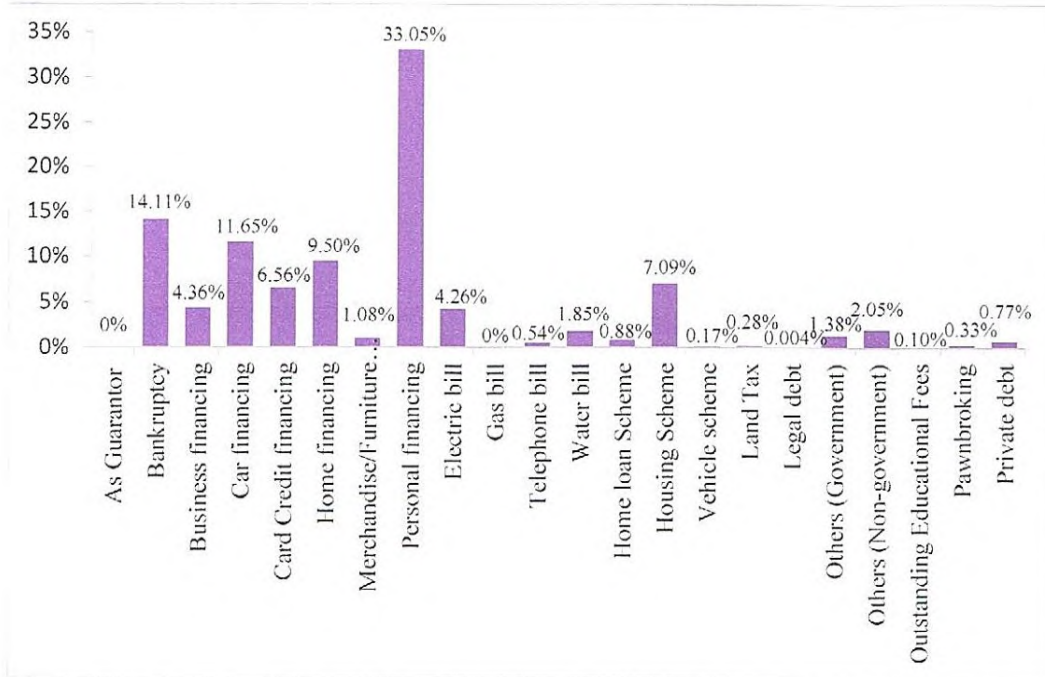
4.1.2. The Progress of the Application Process

The progress of these applications will provide an overall picture of the total amount of debt applications of the *zakāh al-Ghārimīn* within the time limit so that the evaluation can be done. The data provided by the Unit was from January 2009 until September 2013, in which the data for the year 2008 was not included, due to the establishment of the Unit after the royal address 2009 and the misplaced of the data needed. The data will be presented by the breakdown of the types of debt mentioned above. Below are the summary of the application process throughout the three phases mentioned earlier.

⁷⁰ Please refer to Chart 4 : Statistical data of *aṣnāf al-Ghārimīn* applications for Phase Three

Phase One

Chart 2
Statistical data of *aṣṇāf al-Ghārimīn* applications for Phase One

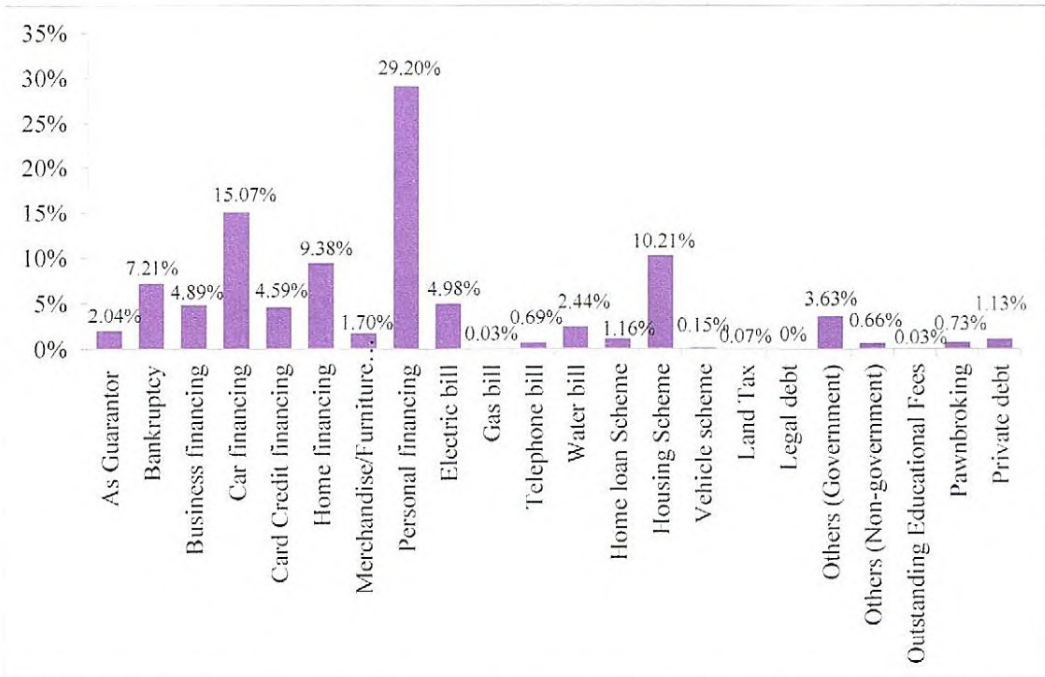


Source: *al-Ghārimīn* Unit, the Brunei Islamic Religious Council Department (JMUIB)

The above chart shows the percentage of debt out of the total debt received during the phase one. As can be seen, the first phase was dominated by the debt from the personal financing (33.05%), followed by bankruptcy of court case (14.11%), car financing loan (11.65%), home financing (9.50%) and housing scheme (7.09%). This data also shows that the debt from home loan scheme, pawn, land tax, vehicle scheme, outstanding school fees and legal debt are at its minimal value less than 1%, which records 0.88%, 0.33%, 0.28%, 0.17%, 0.10%, and 0.004% respectively. Furthermore, there is no debt recorded on guarantor and gas bill.

Phase Two

Chart 3
Statistical data of *aṣnāf al-Ghārimīn* applications for Phase Two

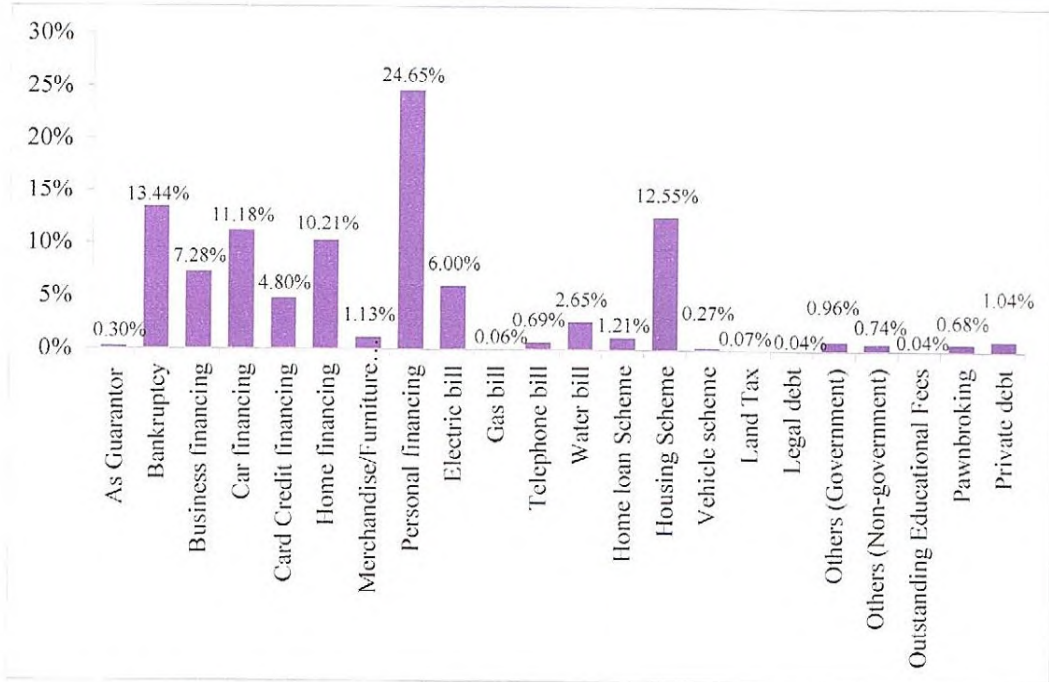


Source: *al-Ghārimīn Unit, the Brunei Islamic Religious Council Department (JMUIB)*

This chart illustrates the percentage of debt out of the total debt received during the phase two. In this phase, there is a notable pattern of increment of debt in car financing, housing scheme and other debt (government), which records an increase of 3.42%, 3.12%, and 2.25% respectively. By the same token, there also a slight increase of less than 1% on the debt of business financing, merchandise financing, home loan scheme, pawn, private debt and utility bills. As matter of fact, the most noticeable debt is still dominated by personal financing which amounted 29.20% out of the total debt in this phase, yet it records notable decrease of 7.03% from the first phase, followed by the decrease of 6.9% from debt of bankruptcy.

Phase Three

Chart 4
Statistical data of *aṣṇāf al-Ghārimīn* applications for Phase Three



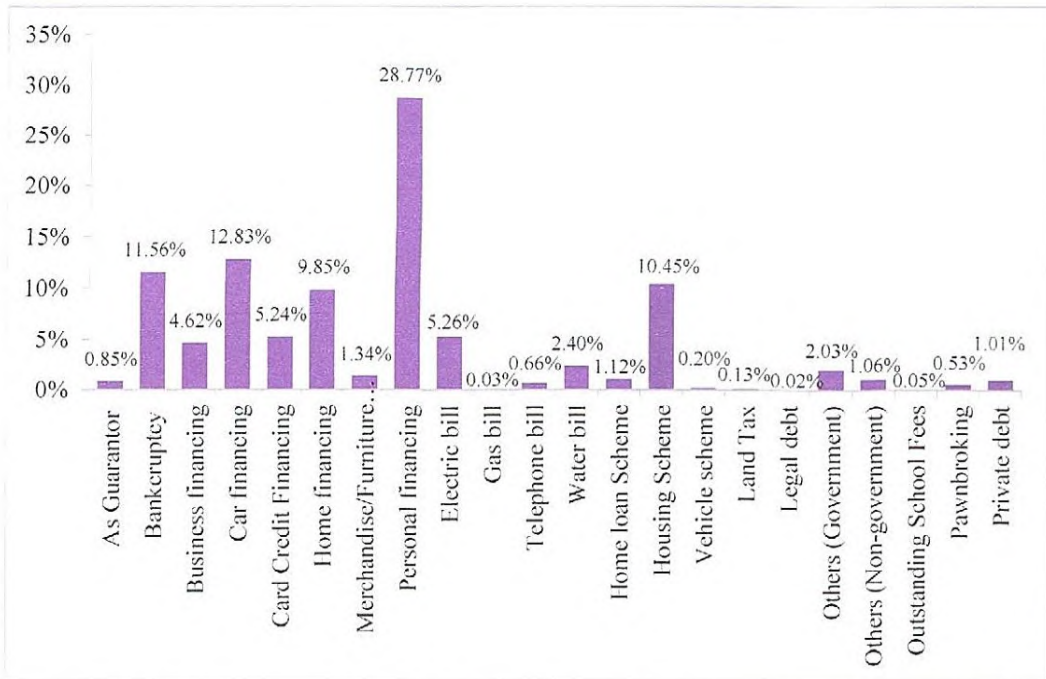
Source: *al-Ghārimīn Unit, the Brunei Islamic Religious Council Department (JMUIB)*

In the third phase, we can still see the dominated debt recorded is the personal financing debt (24.65%). However, the chart shows a significant increase of the bankruptcy debt (13.44%), business financing debt (7.28%), electric bill debt (6.00%), home financing debt (10.21%) and housing scheme debt (12.55%) from the first phase which means more debt cases applied for these types of debts. On the other hand, debt as guarantor, gas bill, land tax, legal debt, others (non-government), outstanding school fees, pawn and telephone bill are still trying to be in their minimal position (i.e. below 1%)

As has been review above, the three charts of the phases presents a clearer view on the progress of *zakāh* applications on *al-Ghārimīn* in Brunei Darussalam respectively to the types of debt they received. The overall results indicate that personal debt records the highest perceptible debt out of all other types of debt although there is a slight decrease amount incurred in each phase. On the other hand, throughout the three phases, business-financing debt, home loan scheme, housing scheme and utilities bill; such as electric bill and water bill shows a pattern of increment. However, the others

types of debt are still hold steady their minimal position although there are slight increase and decrease. This can be seen as follows:

Chart 5
Summary of the statistical data for *aṣnāf al-Ghārimīn*



Source: *al-Ghārimīn Unit, the Brunei Islamic Religious Council Department (JMUIB)*

The main reason for the personal financing debt to be accumulated in such high amount is that there is no personal financing directive been issued prior to the year 2005, where before the loan capping directive, the personal loan financing could loan up to 36 times of their salary and the repayment period could go on till their retirement period⁷¹. These caused the inability of the customer to settle the debt, in which the debt actually higher than their affordability. To mitigate this problem, the Ministry of Finance issued a personal loan capping directive to the Brunei Association Banks (BAB)⁷² in which it capped this personal financing up only to 12 times of their salary and with a repayment period of not more than six years. Furthermore, prior to the year 2010, there is no credit bureau established, in which people can get two to three types of loans in one time. Again, to mitigate this problem Credit Bureau under the

⁷¹ Goh De No. "More stringent rules on loans out in May". *The Brunei Times*. Brunei Darussalam: Brunei Times Sdn Bhd. (No.217). Febuary 2010. p.1 and 13

⁷² Brunei Association Banks (BAB) is a body that acts as a representative of all banks in Brunei Darussalam.

Authoriti Monetari Brunei Darussalam (AMBD) was established in order to facilitate the comprehensive determination of a borrower's credit worthiness before the loan financing been approved⁷³.

When his majesty highlighted the issues regarding on whether *al-Ghārimīn* on basic necessities are entitled to receive *zakāh* during the Brunei Islamic Religious Council Conference 2009, massive applications were received in which most of the *al-Ghārimīn* applications held by the personal financing loan debt.

4.2. Execution Process

As for now, the unit is concentrated in processing their first phase of the *zakāh al-Ghārimīn* where out of 862 applications applied, only 82 applications are to be classified to receive *zakāh* yet these applications still need to be reconfirmed. These 82 applications were processed based on the interview conducted and based on the review and JKP meeting conducted. After these applications reviewed and confirmed in JKP meeting, they were brought forward for JMWZ meeting where the final confirmation made by the Council. After JMWZ meeting, it shows that only 45 respondents were given full confirmation and approval to be given *zakāh al-Ghārimīn*. The allotment of the 45 respondents through district can be viewed as follows:

Table 4
Approved applications process for *zakāh al-Ghārimīn* (Phase One)

DISTRICT	REVIEW APPLICATION	APPROVED APPLICATION
Brunei / Muara	62	25
Tutong	13	13
Belait	6	6
Temburong	1	1
TOTAL	82	45

Source: *al-Ghārimīn Unit, the Brunei Islamic Religious Council Department (JMUIB)*

Most of the applications approved were from Brunei and Muara district with a total of 25 applications, followed by 13 applications from Tutong district, 6 applications from Belait District and 1 application from Temburong. However, the rejected applications will either be rejected fully or given a monthly assistance from

⁷³ Authoriti Monetari Brunei Darussalam. 2012. "Credit Bureau – Overview". *Credit Bureau*. <http://www.ambd.gov.bn/index.php/regulatory/credit-bureau>

BAKAZ in mitigating their hardship i.e. financial assistance, children school assistance, fundamental assistance etc.

Since the members of the Council itself have other duties and responsibilities on their hands, the approval process tends to be slow which caused the delay on process of the applications. Hence, the second and third phases are still on queue to be reviewed and confirmed.

4.3. Factors of Indebtedness in Brunei Darussalam

In general, these are some of the main factors identified that lead to the indebtedness in Brunei Darussalam:

1. Poor money management

Majority of the applicants tend to delay payment of their related expenses especially on utilities bills which caused the debt to fill the gap. Furthermore, multiple debts i.e. debt from financing loan from the banks also caused them to delay the utilities bills as to ensure the monthly payment of the loan, or vice versa. However, wrong step in managing these debts causes more debt to be incurred. For an example; in the case of the applicants applied loan from a conventional bank; a delay of one day or a month on the monthly payment of the loan can cause the debt to increase as they have to pay the fee charged on the late payment. This can be seen in the performance of the financing loan debt mentioned earlier.

Yet, the significant reason of this problem is the inability of oneself managing their money which also closely related to the insufficiency of the income to cover the debt and their nature in delaying the payment. Even so, the financial irresponsibility can have all kinds of unfavourable consequences, such as having private debt as to cover other debt which causes it multiply the debt, and it can even lead to bankruptcy. This poor management is also reflects to the one's financial literacy.

2. Living beyond their means

According to Human Development Report 2013, the living standard in Brunei Darussalam is quite high⁷⁴. The citizens themselves demand more than their capabilities. They tend to live beyond their limit and demand for many things as to fulfil the demand; they tend to get financing loan from the banks. And again, they did not consider the consequences what might happen later. The only important matter they look into is the minimum payment that they could afford to own the things i.e. car, merchandise, furniture etc. They buy cars they cannot afford, get into financing loan and expect to pay it back at some point in the future. Henceforth, they trap themselves into trying to pay off debts. In this case, the more they want to satisfy the whims and fulfilling the wants that the heart desires which is beyond their financial abilities in their life, the more debt they will struggle to settle. Thus, it is important to identify the limitation of the financial affordability and try to plan the budget carefully which mean by trying to live within the limit not beyond it.

3. Losing Employment

This is one of the unexpected circumstances, which caused the person to be in debt. Losing a job is always going to have an effect on financial stability in which it may end up putting the bills especially utilities bills and the debt payments to stand still which caused an excessive burden of debt. This factor associated to the next factor, which is having no extra money or saving in place.

4. No saving

Nowadays, people have the attitude and perceptions that they should be able to enjoy their money since they earned for it. There is no wrong judgment on this perception but it is a least smart thing to do. People need to be aware that the importance of having a saving as it is a simplest way to avoid or settle unwanted debt. Having a saving at little amount did not help much to help this indebted problems. Yet, the least saving every month will eventually help to overcome unexpected circumstance such as losing jobs. Hence, people should be aware that to have a saving scheme for long run is a better solution for emergencies matters.

⁷⁴ See: United Nation Development Program. (2013). "Brunei Darussalam: HDI values and rank changes in the 2013 Human Development Report.". <http://hdr.undp.org/sites/default/files/Country-Profiles/BRN.pdf>.

Moreover, it may not cause immediate financial strain and increase the accumulated debt.

5. Financial illiteracy

Instinctive knowledge in financial matter is essential. It is not something that we neither have since birth nor learned from our parents and school. We need to learn it by experience and exposure in financial arrangement. We need to keep in mind that this life is our responsibilities that include on how to manage the money properly. Majority of the applicants did not know the functions on how money is circulated i.e. interest rates, inflations, etc. in which caused them to be less likely to have higher levels of debt and experience problems with managing money. In the other words, we called this as financial illiteracy.

Generally speaking, these factors need to be deal with as to ascertain that this indebted problem can be averted. The effectiveness of *zakāh* collection and distribution mainly depends on the good management and governance of the *zakāh* institution i.e *MUIB* itself need to make sure all of the management problems to be tackled immediately because these problems may lead to another issues if it is not handle properly.

CHAPTER V

CONCLUSION AND RECOMMENDATIONS

This chapter will conclude this study by discussing the limitations outcomes and result, as to achieve the research objectives of this study. Lastly, this chapter will end by giving some recommendations for *MUIB* as a whole especially for those who involved in the *zakāh* management to *al-Ghārimīn* in Brunei Darussalam and the *aṣṅāf* themselves by suggesting ways to reduce their indebtedness.

5.1. Conclusion

- As whole, the *zakāh* institution in Brunei Darussalam that is Brunei Islamic Religious Council Department (*JMUIB*) which regulates under the power of the Council (*MUIB*) shows their endeavour in managing the *zakāh* funds by introducing the *Zakāh* Management System (*SPZ*). In addition, the institution itself has successfully implemented *madhhab al-Shāfi'ī* as their core reference in any ruling that relates to *zakāh* matters, especially on the definitions and categories of *al-Ghārimīn*.
- Furthermore, with the existence of a newly-reformed *al-Ghārimīn* unit has marked a standardize way to execute the application and disbursement process of the *zakāh al-Ghārimīn* albeit there is a slight deficiency in its operational procedures. On top of that, the absence of the procedure practices for the year 2008 plays significant limitation of this study to achieve one of the objectives which is to study the procedures practices of *zakāh al-Ghārimīn* process in Brunei Darussalam before the royal address.
- The performance of *al-Ghārimīn* applications on the other hand shows a significant increase in number of cases received and in the amount of debt that had been applied. Thus, this means that the debt problems in Brunei Darussalam seem to be rising and this matter needs to be investigated as to mitigate the indebtedness problems that seem to be pervasive. The *zakāh* institution and government itself need to view this matter seriously as their pre-cautious steps to mitigate any possible risks which are closely related to the economy and the country itself.

- The financing loans from the banks show a prominent numbers of cases and high percentage of amount of debt incur. These significant increase of the applications need to be closely investigated as to identify what are the associate factors that contribute in the augment of the figure. Furthermore, this questioned on the effectiveness of the loan capping directive issued by the MOF. Does it still cannot overcome the default of the repayment of loan incur? Or there are other factors that contribute to it?
- In addition, this study shows that the applicants are most likely to have debt from private institutions such as banks, disposal services, catering service, furniture store, etc than the government institutions. This shows that the applicant prefer more in having a loan from a private institution than a government but it can also explain as that the government loan is hard to acquire compared with the private institutions. This preferable routine needs to be cautious about so that it did not cause disturbance on the interest of the government.

5.2. Recommendations

These are some recommendation that need to be taken into account:

5.2.1. MUIB

MUIB itself needs to mitigate the issues arise regarding on the operational processes. The recommendations are as follows:

5.2.1.1. Human Resource

- a) The institution itself needs to open a new recruitment of human resource for *al-Ghārimīn* unit as to close the gap of barrier of their multi-tasking work and shortage of personnel. By having more officers and staffs in conducting this work, it will contribute for the effectiveness of the work activities which at once helps the Unit itself to achieve their goals i.e. giving assistance for the indebted person. Furthermore, this new recruitment will lead to the effectiveness of the application process of *zakāh al-Ghārimīn*.

- b) Additionally, these recruitments need to select the right people with well-experienced background as to ensure the efficiency in doing the work on its optimal way i.e. by doing it fastest or in the least hard way. This means that the Unit needs to have segregation of work within the Unit, where the Unit should have further divided the human resource into three unit; i) Registration and administration unit; ii) Investigation and interview unit and ii) Execution unit (which includes the meeting and the disbursement part of the applications). When this happens, the ineffectiveness of the management process can be reduced and the proficiency on the management of *zakāh* can be done easily.
- c) In addition, the current state of the human resource needs to have a Training Need Analysis (TNA) as to identify the problems and the needs of the skills and knowledge in the Unit itself. From this TNA, the needs of skills and knowledge can be enhanced and effectiveness of the human resource can be ensured. However, the training provided only contributes on ways how they can be more effective and efficient, thus, the vital role for this reflects back to the individuals in executing the skills and the knowledge learned.

5.2.1.2. Effective usage of the system

- a) The existing of *zakāh* management database, which also known as SPZ system provides the institution to record all collection, disbursement and monetary data, yet the system, is not fully implemented throughout the divisions under *BAKAZ* including *al-Ghārimīn* unit. The system seems to be far from reaching their aims as to facilitate and speed up the execution process of the applications to be more effective and efficient. The reason behind the slow adaption of this system is still questionable. Nevertheless, *BAKAZ* still need to endeavour to fully implement this system as to accomplish their objectives.
- b) If there is a requirement for a training to be conducted for all of the officers and staff of the institution as to achieve deep understanding on the execution of this system, the institution itself need to play their significant role to make it happen. Training workshop should be conducted as to give knowledge on the existing system so that they can adapt the advancement of the *zakāh* management. This

training will not only apply for the former employee, it should be conducted to the new employees.

- c) There is also a need for the system to be enhanced by adding another module that records all the activities of interview and investigation on the *aṣnāf* of *zakāh* including *aṣnāf al-Ghārimīn*. This may help all units in the institution to know the current progression status of the *zakāh* application, which closely associated with their tasks.
- d) This system also needs to introduce one public site in the SPZ which can be accessed by the *zakāh* applicants, where they may check the current status of their application. The access will be restricted for the *zakāh* applicants; i.e the respective applicants are given a username and password to login in the site which they only can see the current status of their application, not others.
- e) Lastly, the institution also needs to give unrestricted access for data sharing for every unit and division under *BAKAZ*. This access purposely aims to fill the data information-sharing gap.

5.2.1.3. Consultation session

- a) *Al-Ghārimīn* unit specifically needs to have a consultation session with the applicants. This session can be done before the interview session of the *zakāh* applications. This session aims to give deep understanding on the seriousness of the debt problems and its consequences based on the Islamic teachings on debt with reference from the al-Qur'ān and *Hadīth* which can helps to mitigate the danger of debt.
- b) This consultation session can be collaborated with other department in the Ministry of Religious Affairs, in which this Unit may swap different religious expertise of same field during the session. This aims for more exposure on the different deliverance of knowledge.

These recommendations may enhance a good quality of management and governance of the *zakāh* institution in carry out their responsibilities effectively and efficiently.

5.2.2. *Aṣnāf al-Ghārimīn*

Zakāh will definitely entitle to an indebted person who is unable to repay his debt (*al-Ghārimīn*) as long as they fulfilled the condition in Islamic law. Yet, these indebtedness problems need to be mitigated and they should be aware on their obligation to pay back the amount due (if possible) before applying the *zakāh*. Some steps that can be taken to mitigate the indebtedness problems are by:

5.2.2.1. Religious knowledge on Indebtedness

- a) People need to practice Islam as their way of life so that they know the consequences and the wisdom behind the indebtedness problems.
- b) People also need to understand more, to profound route of realization of the religious consequences of indebtedness. This will not be limited to the indebted person only; it should apply to every Muslims. They should know the seriousness of the debt in Islam. Nowadays people tend to concentrate on the materialistic world where they are busy chasing after the whims and fulfilling the wants that the heart desires, and blinded by the temporary satisfaction, which cause us to begin taking certain matters that are forbidden and discouraged in Islām, too lightly. This indebtedness is a life-threatening which may affect the one's life, which not only affects the life in this world but also in the hereafter.
- c) This approach can be done by the initiative of the indebted person itself, by borrowing or buying any books that relates to the knowledge of Islām and debt. Furthermore, this can be done in the consultation session that is recommended for the *MUIB* earlier.

5.2.2.2. Financial literacy

- a) The need of financial literacy is vital. Financial literacy always associate back to the poor money management in which it was caused by the lack of knowledge and

understanding on financial matters. This may cause a poor financial decision that can have contrary effects on the financial health of an individual. Every recipient of *al-Ghārimīn* needs to tap the knowledge on how to manage their personal financial matter in which involves the understanding on the financial concept knowledge of the mechanism of a credit card, advantageous of saving methods that they should have consumer right etc. This can be done by taking any workshop or seminar regarding on the financial literacy as to further understand and get the whole picture on how to become more financially literate person. Even with a little knowledge on financial literacy may avoid making mistakes in decision making. Furthermore, financial literacy provides a starting point to help individuals to make a better financial decision.

b) Financial literacy can be achieved by doing budgeting on the daily financial activities. These are some list of steps that are need to be done by the applicants:

i. Get track with the financial status

The applicants need to become familiar with their household finances where they keep records of their monthly financial statement i.e. on how much money they spend and save for each month from the monthly expenses to their monthly repayments. These can be monitored by reviewing the bank statement (includes saving account), the bills, the repayment of credit card and loan (if any) or do it manually by recording all the expenditures.

ii. Set the financial goal and do budgeting

After concluding on how was your financial status is, the applicants need to set what kind of financial goal that they want to target. For example: to minimize the spending on credit card or targeting an increase on the saving. To achieve this, the budgeting plan is needed. It allows the applicants to save more as to accomplish the financial goal. This budgeting plan needs to be consistent and revised monthly as to get track on the performance of the budgeting.

iii. Cooperation and compromise

The need of cooperation and compromise between spouses is crucial. They need to be open and be involved in each other financial decisions. By doing this, the unnecessary debt can be omitted and they can reserve for more saving.

iv. Avoid common poor management

It is important to avoid any delayed payment on any bills owed, spending on the unnecessary items as to fulfil the whims and wants of the one heart desired.

v. Gain more knowledge

It is essential to learn more about the financial activities and understand every term of their financial. Keep updated with performance of the respective banks and gain knowledge from any seminar or learn it online.

5.2.2.3. Saving

Saving habit should be inculcated in one self. It should be one of the norms for the people to save some money for their future and even extra money for emergencies and unexpected circumstances such as losing employment, divorce, etc. This may not last for a long-run but it can mitigate the debt problem on time while searching for other initiative to settle such debts. From the experience, *al-Ghārimīn* should be aware on the importance of having a saving account for their future and they should implement the practice of saving in their life after experiencing the debt. This can be performed by having a minimal of \$50 a month saving because most of the bank in Brunei Darussalam minimum requirement for saving account is \$50. This savings need to be consistent. If the financial are quite satisfactory, try to increase the amount of saving yet still keep it consistent.

BIBLIOGRAPHY

Al-Qur'ān al-Karīm

Arabic References:

A.D. Ahmad 'Abuhāqah. (n.d). *Al-Mu'jam al-Nafā'is al-Wasīt*. Beirut: Dār al-Nafā'is.

Al-Bukhārī, Muhammad bin Isma'il bin Abdullāh. (1422H). *Kitāb al-Imān*. n.pl. Dār Ūawuq al-Najāh. Vol.1

_____. (1422H). *Kitāb Zakāh*. 1st ed. n.pl. Dār Ūawuq al-Najāh. Vol.2.

English References:

Abu Al-Hasan Sadeq. (1994). *A survey of the institution of zakah: issues, theories and administration*. Jeddah, Saudi Arabia: Islamic Research and Training Institute Islamic Development Bank.

H. Anthony Salmone. (1978). *An Advanced Learner's Arabic-English Dictionary*. Beirut: Librairie du Liban.

I.A. Imtiaz, M.A. Mannan, M.A. Niaz, and A.H. Deria (Ed.). (1989). *Management of Zakah in Modern Muslim Society*. 1st ed. Jeddah, Saudi Arabia: Islamic Research and Training Institute Islamic Development Bank.

Muhammad Iqbal Kailani (comp.). (1998). *The Book of Zakat (Precepts Dealing with Poor Due*. A.K.Murtaza (trans.). Riyadh: Darussalam Publishers & Distributors.

Professor Muhammad Zulfiqar. (2011). *Zakah According to the Quran & Sunnah*. Riyadh: Maktaba Dar-us-Salam

Office of the Attorney General. (1984). *Laws of Brunei*. England, London: Eyre & Spottiswoode Ltd, Her Majesty's Printers.

Al Qaradawi, Yusuf. (2011). *Fiqh al zakāh: A comparative study of Zakah Regulations and Philosophy in the Light of Qur'an and Sunnah*. Monzer Kahf (trans.). Selangor, Malaysia: Islamic Book Trust.

Rose Abdullah. (2012). *Zakat management in Brunei Darussalam: Funding the economic activities of the poor*. Bandar Seri Begawan: Universiti Islam Sultan Sharif Ali

Malay References:

- Abdul Monir Yaakob dan Wan Roslili Abd Majid (Ed). (1998). *Mufti dan Fatwa di Negara-Negara Asean*. Kuala Lumpur, Malaysia: Institut Kefahaman Islam Malaysia.
- Abdullah Nasih Ulwan. (1985). *Hukum zakat dalam pandangan empat mazhab*. Drs. Dindin hafihuddin (trans.). Singapura: Pustaka Nasional Pte Ltd.
- Mujaini Tarimin. (2005). *Zakat menuju pengurusan profesional*. Kuala Lumpur, Malaysia: Utusan Publications & Distributors Sdn Bhd.
- Nik Mustapha Nik Hassan (Ed). (2001). *Kaedah Pengagihan Dana Zakat Satu Perspektif Islam*. Malaysia: Institut Kefahaman Islam Malaysia.
- Prime Minister's Office. (2004). *Dokumen-dokumen Perlembagaan/Constitutional Documents*. Brunei Darussalam: Jabatan Percetakan Kerajaan.
- H. Sulaiman Rasyid. (1988). *Fiqh Islam hukum fiqh lengkap*. Malaysia: Dewan Pustaka Fajar.
- Syekh Abdurrahman Al-Jaziri. (1996). *Fiqh Empat Madzhab*. Prof.H.Chatibul Umam & Abu Hurairah (trans.). Jakarta, Indonesia: Darul Ulum Press.
- Wahbah al-Zuhaili. (1994). "*Fiqh & Perundangan Islam*". Md.Akhir Haji Yakoob (trans). Malaysia: Percetakan Dewan Bahasa dan Pustaka. Vol.2

Newspapers

- Azaraimy HH. "Run on Zakat millions". *Borneo Bulletin Sunday*. Brunei Darussalam: Brunei Press Sdn Bhd. (No.365). January 2009
- Goh De No. "More stringent rules on loans out in May". *The Brunei Times*. Brunei Darussalam: Brunei Times Sdn Bhd. (No.217). Febuary 2010
- Jabatan Penerangan Brunei. "Tidak semua boleh memohon". *Pelita Brunei*. Brunei Darussalam: Jabatan Penerangan, Jabatan Perdana Menteri. (No.7) January 2009.
- Junaidi Bahrain. "People throng stadium to collect Zakat forms". *The Brunei Times*. Brunei Darussalam: Brunei Times Sdh Bhd. (No.199). January 2009.
- Liza Mohd. "People throng KB office for Zakat forms". *Borneo Bulletin*. Brunei Darussalam: Press Sdn Bhd. (No 424). January 2009
- Nurul Hayate. "Baki Wang Zakat dekat \$240 Juta". *Media Permata*. Brunei Darussalam: Press Sdn Bhd. (No 143). January 2009

Internet

- BAKAZ. 2014. "Projek e-Kerajaan Kementerian Hal Ehwal Ugama". BAKAZ. http://www.zakat-muib.gov.bn/subindex.asp?id=A112_08

- _____. 2008. "Unit-unit Dalam BAKAZ dan Cawangannya". *BAKAZ*. http://www.zakat-muib.gov.bn/subindex.asp?id=A069_08
- _____. 2008. "Permohonan dan Agihan". *BAKAZ*. http://www.zakat-muib.gov.bn/subindex.asp?id=A074_08
- Kementerian Hal Ehwal Ugama. 2014. "Pengenalan". *MUIB*. http://www.religious-affairs.gov.bn/index.php?ch=bm_muib&pg=bm_muib_profil&ac=1044
- Kementerian Hal Ehwal Ugama. 2014. "Unit Kutipan dan Agihan Zakat". *Kementerian Hal Ehwal Ugama: Unit Kutipan dan Agihan Zakat*. http://www.religious-affairs.gov.bn/index.php?ch=bm_muib&pg=bm_muib_profil&ac=1036
- Prime Minister's Office. 2014. "TITAH- Persidangan Majlis Ugama Islam". TITAH View. <http://www.pmo.gov.bn/Lists/TITAH/NewDispform.aspx?ID=146&Source=http%3A%2F%2Fwww%2Epmo%2Egov%2Ebn%2FPMO%2520Pages%2FTitah-View%2Easpx&ContentTypeId=0x0100422E821587FC974C9DFFAF38C117CE34>
- South African National Zakat Fund. 2011. "Counting on Our Heritage Understanding Zakah". <http://www.sanzaf.org.za/zakah-resources/zakah-downloads/101-understanding-zakah/file>.

Others

- Ajaz Ahmed Khan and Helen Mould. (2008). *Islam and Debt*. United Kingdom: Islamic Relief Worldwide
- Benaouda Bensaïd, Fadila Grine, Mohd Roslan Mohd Nor, and Mohd Yakub Zulkifli Mohd Yusoff. "Enduring Financial Debt: An Islamic Perspective". *Journal of Scientific*. Middle-East: IDOSI. (1990-9223): 2013.
- Hajah Hasnah (2011). "Keberkesanan zakat terhadap asnaf al-Gharimin di Daerah Brunei dan Muara: satu kajian". *Thesis submitted for degree of Islamic Teaching (Shariah)*. Kolej Universiti Perguruan Ugama Seri Begawan
- Haji Romzi bin Haji Ghani. *Interview*. BAKAZ, JMUIB. 22nd March 2014.
- Md Fahmi bin Haji Abas and Ustazah Nor Rosnehanizah binti Haji Mohdzar. *Interview*. Bangunan Madrasah, JMUIB. 17th March 2014
- Norsiah Sulaiman, Ramawan Ab. Rahman, Khairul Faezi Mat Said, Hasan Bahrom, Nafisiah Abdul Rahman. "Hutang dalam manuskrip melayu dan realiti masa kini serta kajian *al-Gharimin* di Malaysia". *Paper presented in Seminar Serantau Kajian Manuskrip Melayu dan Kearifan Tempatan*. 2013
- Wan Marhaini, Shamsiah Mohamad. "Classical Jurists' View on the Allocation of Zakat: Is Zakat Investment Allowed". *Middle-East Journal of Scientific Research* 12. n.pl: IDOSI Publications. 2012

APPENDIX A
SAMPLE OF INTERVIEW QUESTIONS



جامعة السلطان الشريف علي الإسلامية
UNIVERSITI ISLAM SULTAN SHARIF ALI
SULTAN SHARIF ALI ISLAMIC UNIVERSITY

TEMUBUAL IJAZAH SARJANA MUDA

Tajuk Kajian:

Alms-giving to *al-Ghārimīn*: Brunei Darussalam Case Study

Nama Pelajar:

Nurul Aqilah binti Haji Abd Rahman
10B0808

Program:

Sarjana Muda Sains dalam Kewangan Islam
Fakulti Perniagaan dan Pengurusan Sains
Contact: ellerizal@gmail.com / +6738632390

Nama Penyelia:

Dr. Abdul Nasir bin Haji Abdul Rani
(Pengarah Pusat Pengajian Lepas Ijazah Dan Penyelidikan)

Pengenalan:

1. Maklumat daripada soalan-soalan temu bual ini akan digunakan untuk tujuan akademik dan ia tidak akan di gunakan atas sebab-sebab yang lain.
2. Maklumat temubual ini akan direkod dengan menggunakan rakaman suara yang mana bertujuan untuk rujukan semata-mata.
3. Tujuan temubual ini diadakan adalah untuk mengumpulkan maklumat data primer daripada sumber asal yang tidak boleh didapati secara umum.
4. Temubual yang diadakan ini juga mengandungi soalan-soalan spontan.
5. Temubual ini berhasrat untuk menemubual Ketua Bahagian Kutipan dan Agihan Zakat (BAKAZ) mengenai pelaksanaan tugas-tugas kutipan dan agihan zakat al-gharimin.
6. Temubual ini bertujuan untuk mencapai objektif kajian seperti berikut:
 - a) Untuk memastikan definisi bagi al-Gharimin di Brunei Darussalam adalah berdasarkan mazhab al-Syafi'i.

- b) Untuk mengkaji bagaimana prosedur pelaksanaan zakat al-Gharimin di Negara Brunei Darussalam sebelum dan selepas titah Kebawah Duli Yang Maha Mulia, Sultan dan Di-Pertuan Negara Brunei Darussalam dalam Mesyuarat Majlis Ugama Islam Brunei pada tahun 2009. (2008-2012).
- c) Untuk melihat statistik zakat al-Gharimin dalam had masa 2008-2012 dan sekaligus bertujuan untuk mengenal pasti faktor-faktor penyebab utama mereka yang berhutang.
- d) Mencadangkan cara-cara bagaimana prosedur pelaksanaan zakat al-gharimin dan masalah al-gharimin boleh dinaik taraf dan ditangani dengan sebaiknya.

SOALAN-SOALAN TEMUBUAL

1) Pengenalan

- a) Majlis Ugama Islam Brunei (MUIB) merupakan satu institusi kerajaan yang bertanggungjawab dalam mengutip dan mengagih zakat di Negara Brunei Darussalam. Sila pihak BAKAZ terangkan dengan lebih lanjut lagi mengenai institusi ini dari sudut latar belakang sejarah penubuhannya dan fungsinya, unit-unit yang terdapat dibawahnya dan peranan penubuhan unit-unit tersebut.
- b) Apakah fungsi Bahagian Kutipan dan Agihan Zakat (BAKAZ) dalam MUIB?

2) Definisi zakat al-gharimin

- a) Apakah yang dimaksudkan dengan al-gharimin dalam konteks Brunei Darussalam?
- b) Adakah pihak BAKAZ menyediakan syarat-syarat tertentu untuk mengenal pasti golongan al-gharimin di Negara Brunei Darussalam? Sila nyatakan syarat-syarat berkenaan jika ada.
- c) Adakah pihak BAKAZ menyediakan klasifikasi khusus bagi menentukan golongan al-gharimin?
- d) Adakah dimestikan syarat-syarat ini tadi dipenuhi untuk mendapatkan kelayakan menerima zakat al-gharimin?

3) Prosedur permohonan zakat al-gharimin

- a) Di dalam BAKAZ ini, adakah terdapat bahagian atau unit khas untuk menangani isu-isu berkaitan dengan golongan al-gharimin?

- b) Apakah peranan yang di mainkan oleh unit ini?
- c) Apakah visi, misi dan objektif BAKAZ dan unit ini?
- d) Bagaimanakah hierarki organisasi BAKAZ?
- e) Bagaimanakah prosedur aliran kerja yang digunakan oleh pihak BAKAZ dalam melaksanakan/menentukan permohonan zakat al-gharimin sehingga permohonan diluluskan?
- f) Adakah carta aliran kerja ini tadi digunakan pada masa ini merupakan kesan daripada titah Kebawah Duli Yang Maha Mulia, Sultan Dan Yang Di-Pertuan Negara Brunei Darussalam dalam Mesyuarat Majlis Ugama Islam (MUIB) tahun 2009?
- g) Bagaimanakah kaedah prosedur tersebut disusun untuk memastikan golongan al-gharimin menerima hak-hak mereka?
- h) Adakah pihak BAKAZ juga merujuk kepada kaedah prosedur daripada institusi lain?
- i) Apakah bentuk zakat yang dihulurkan oleh pihak BAKAZ kepada golongan al-gharimin?
- j) Bagaimanakah pengagihan zakat al-gharimin dilakukan?
- k) Apakah tindakan yang dilakukan oleh pihak BAKAZ dalam menangani isu-isu al-gharimin?
- l) Adakah pihak BAKAZ menghadapi kesukaran dalam melaksanakan tugas-tugas

4) Statistik pelaksanaan zakat al-gharimin

- a) Apakah kesan yang jelas berlaku setelah titah Kebawah Duli Yang Maha Mulia, Sultan Dan Yang Di-Pertuan Negara Brunei Darussalam dalam Mesyuarat Majlis Ugama Islam (MUIB) tahun 2009?
- b) Bagaimanakah kesan permohonan zakat al-gharimin sebelum dan selepas titah tersebut? (2008-2012)
- c) Berapakah statistik data mereka yang layak menerima zakat al-gharimin dan mereka yang tidak layak menerima?
- d) Apakah faktor-faktor utama mereka yang tidak layak menerima zakat al-gharimin?

5) Faktor permasalahan zakat al-gharimin

- a) Menurut catatan pihak BAKAZ, apakah faktor-faktor utama penyebab berlakunya masalah berhutang di Negara Brunei Darussalam?
- b) Sebagaimana yang telah dinyatakan dalam titah 2009, sebanyak lebih 46 juta wang zakat bagi golongan al-gharimin, bagaimanakah pengurusan lebihan wang ini digunakan oleh pihak BAKAZ?
- c) Adakah dengan usaha-usaha yang dilakukan dapat menangani isu-isu al-gharimin di Brunei?

Keperluan tambahan:

Selain daripada jawapan temubual ini, saya juga ingin meminta salinan bercetak atau dokumen-dokumen seperti berikut:

- 1) Carta organisasi Majlis Ugama Islam Brunei (MUIB) dan Bahagian Kutipan dan Agihan Zakat (BAKAZ).
- 2) Carta aliran kerja terkini zakat al-gharimin (termasuk borang-borang yang disediakan oleh pihak BAKAZ)
- 3) Data statistik:
 - i) Kutipan dan Agihan zakat di sepanjang tahun 2008-2012.
 - ii) Kutipan dan Agihan zakat al-gharimin sepanjang tahun 2008-2009
 - iii) Permohonan zakat al-gharimin sepanjang tahun 2008-2009.
 - iv) Permasalahan utama al-gharimin secara keseluruhan (jika ada)
- 4) Serta dokumen-dokumen yang berkaitan dengan temubual ini.

****Terima Kasih atas kerjasama pihak Tuan/Puan****

APPENDIX B
GENERAL APPLICATION FORM FOR *ZAKĀH* IN BRUNEI
DARUSSALAM



ARAHAN PENTING

Borang permohonan mestilah diisi dengan lengkap dan sempurna mengikut arahan di bawah ini :

1. Sila baca takrif Fakir Miskin terlebih dahulu, sebelum mengisi borang permohonan ini.
2. Borang permohonan hendaklah diisi dengan lengkap. Borang yang tidak lengkap tidak akan dilayan dan akan dikembalikan kepada pemohon.
3. Borang permohonan ini hendaklah mendapat pengesahan dan sokongan serta tandatangan dan cap KETUA KAMPUNG atau PENGHULU sebelum dihantar kepada Bahagian Kutipan dan Agihan Zakat, Jabatan Majlis Ugama Islam, Kementerian Hal Ehwal Ugama.
4. Nama dan alamat sekarang serta tarikh lahir hendaklah mengikut yang terdapat dalam Surat Beranak atau Kad Pengenalan.
5. Borang permohonan hendaklah disertakan dengan salinan dokumen yang diperlukan.
6. Setiap permohonan adalah tertakluk kepada pertimbangan Jawatankuasa Mengeluarkan Wang Zakat berdasarkan Hukum Syara' dan peraturan-peraturan yang ditentukan dari masa ke semasa.
7. Bagi pemohon yang mempunyai lebih daripada seorang isteri hendaklah mengisi borang yang berasingan bagi keterangan di para 2 dan 3 di muka surat 2.

DOKUMEN-DOKUMEN YANG DIPERLUKAN

Beranda	Jenis Dokumen	Diperlukan	Jenis Dokumen
	Salinan Kad Pengenalan pemohon / isteri / anak dalam tanggungan (surat beranak jika di bawah umur 12 tahun)		Salinan Sijil Cerai / surat pengesahan proses perceraian (jika berkenaan)
	Salinan slip gaji terkini		Salinan Sijil Mati suami (jika berkenaan)
	Surat permohonan yang disahkan oleh Ketua Kampung / Penghulu		Salinan Sijil Memeluk Ugama Islam bagi muallaf (jika berkenaan)
	Surat pengesahan dari pihak sekolah (jika anak bersekolah)		Salinan geran tanah / TOL
	Salinan tuntutan bil elektrik, air & gas (bantuan al-gharimin)		Salinan surat pengesahan dari tuan rumah (bagi bantuan membeli rumah)
	Surat pengesahan dari tuan rumah sewa (bantuan bayaran sewa)		Salinan surat pengesahan sekolah (pemegang Kad Pengenalan ungu/ hijau / biru)
	Surat pengesahan daripada penjara/ al-Islah		Salinan Buku Akaun bank
	Lain-lain dokumen yang berkenaan.		

CONTOH CARA MEMBUAT SURAT PERMOHONAN

Nama Pemohon : (suami / penjaga)

Alamat :

Tarikh :

Mealui :

Ketua Kampong (COP / Tandangan Ketua Kampong)

Kepada :

Seticusaha Majlis Ugama Islam,

Jabatan Majlis Ugama Islam,

Kementerian Hal Ehwal Ugama,

Negara Brunei Darussalam.

Tuan,

PER: MEMOHON BANTUAN (nyatakan bantuan yang dipohonkan)

JENIS-JENIS BANTUAN MAJLIS UGAMA ISLAM

- i. Bantuan Anak Sekolah.
- ii. Bantuan Asasi.
- iii. Bantuan Bayaran Sewa Rumah Majlis.
- iv. Bantuan Membaiki Rumah.
- v. Bantuan Membina Rumah.
- vi. Bantuan Modal Perniagaan.
- vii. Bantuan Peralatan Menangkap Ikan.
- viii. Bantuan Perubatan

PENERANGAN-PENERANGAN HUKUM
BAGI MENDAPATKAN BAHAGIAN ZAKAT HARTA DAN ZAKAT FITRAH
SEBAGAI ASNAF FAKIR DAN MISKIN

Sebelum pemohon-pemohon memutuskan hendak mengisi borang permohonan ini, maka mustahak diperhatikan penerangan-penerangan dan penjelasan-penjelasan di bawah ini:

1. **TAKRIF FAKIR :**

ialah orang Islam yang papa tidak mempunyai apa-apa pencarian atau harta atau orang yang tidak boleh mengadakan setengah daripada keperluan untuk nafkahnya dan nafkah orang-orang yang wajib ditanggungnya.

2. **TAKRIF MISKIN :**

ialah orang Islam yang sungguh pun mempunyai sedikit harta atau apa-apa pencarian tetapi cuma dapat mengadakan lebih daripada separuh keperluan nafkahnya dan nafkah orang yang wajib ditanggungnya.

3. Seorang yang mengaku fakir atau miskin, tetapi ada orang dapat menanggung nafkahnya atau perbelanjaan hariannya atau lain-lain keperluan yang mustahak bagi dirinya, maka orang ini tidak lagi dinamakan fakir atau miskin dengan sebab ada orang menanggung nafkahnya atau keperluannya. Untuk jelasnya di bawah ini dibawakan beberapa misal seperti berikut :

- i. Seorang bapa atau ibu yang fakir atau miskin yang nafkahnya ditanggung oleh anaknya atau mana-mana orang yang wajib menanggung nafkahnya secara cukup menurut keadaannya, maka bapa atau ibu itu tidak lagi ditarafkan sebagai fakir miskin.
- ii. Seorang datuk atau nenek yang fakir atau miskin yang nafkahnya ditanggung oleh cucunya atau mana-mana orang yang wajib menanggung nafkahnya secara cukup menurut keadaannya, maka datuk nenek itu tidak lagi ditarafkan sebagai fakir atau miskin.
- iii. Seorang isteri yang fakir atau miskin yang nafkahnya ditanggung oleh suaminya atau mana-mana orang yang wajib menanggung nafkahnya secara cukup menurut keadaannya, maka isteri itu tidak lagi ditarafkan sebagai fakir atau miskin.

4. i. Pemohon mustahaklah ingat bahawa permohonan bagi mendapatkan bahagian zakat ini bukanlah merupakan seperti permohonan atau pertolongan biasa tetapi permohonan ini mestilah berdasarkan HAK kerana termasuk di dalam golongan asnaf yang lapan iaitu seperti **FAKIR** atau **MISKIN**. Jika ia tidak termasuk dalam golongan asnaf yang lapan, maka ia **TIDAK BERHAK** memohon bahagian zakat itu. Jika ia menerima bahagian zakat itu juga sedangkan ia tidak termasuk di dalam golongan asnaf yang lapan seperti ia bukan fakir atau miskin, maka perbuatannya iaitu adalah **HARAM** dan **BERDOSA** sebagaimana menurut riwayat At-Tabrani dari Ibnu Abbas seperti berikut :

"Pernah aku membaca di sisi Rasulullah Sallallahu Alaihi Wasallam Surah Al-Baqarah ayat 172 iaitu (kira-kira ertinya) "Hai sekalian manusia makanlah barang yang halal yang baik dari apa yang ada di bumi".

Kemudian Saad bin Abi Waqqas bangun seraya berkata: "Ya Rasulullah aku memohon kepada Allah supaya dijadikan aku orang yang diperkenankan doanya". Lalu Rasulullah bersabda yang kira-kira ertinya:

"Hai Saad baguskan makanan engkau nescaya engkau (orang yang) diperkenankan permintaan. Dan demi diri Muhammad ditangannya sesungguhnya seorang hamba memasukkan (menyuapkan) sesuap makanan haram ke perutnya, tiada diterima Allah daripadanya amal empat puluh (40) hari. Dan mana-mana hamba yang tubuh dagingnya dari yang haram, maka api neraka lebih layak dengan dia".

- ii. Setelah daripada itu, jika pemohon-pemohon benar-benar berhak menerima bahagian zakat, kerana termasuk ke dalam takrif fakir atau miskin yang diterangkan di atas, tetapi mereka secara cukup menurut keadaannya, maka bagi maksud berhati-hati dan berjaga-jaga memelihara hak dan bukan hak, sebelum permohonan ini dihadapkan mustahaklah pemohon berunding terlebih dahulu dengan sesiapa yang wajib menanggung nafkah pemohon seperti anak saudara kepada bapa atau sebaliknya atau nisbah cucu kepada datuk atau sebaliknya atau nisbah isteri kepada suami seperti penjelasan di 3 di cerai (i), (ii) dan (iii) di atas. Dengan sikap berhati-hati ini akan jelaslah kedudukan pemohon yang sebenarnya sama ada pemohon berhak menerima bahagian zakat ataupun tidak.
- iii. Pengakuan sebagai fakir atau miskin sebenarnya tertakluk kepada diri pemohon sendiri. Ertinya pemohon lebih mengetahui akan keadaan dan kedudukan (kemampuan) dirinya yang sebenar, kerana kadang-kadang kalau ia berbelanja dengan tiada boros hanya mengutamakan perkara-perkara yang mustahak, maka tidaklah ia dikatakan sebagai fakir atau miskin.

Jabatan Majlis Ugama Islam,
Kementerian Hal Ehwal Ugama,
Negara Brunei Darussalam.

33932

BAHAGIAN KUTIPAN DAN AGIHAN ZAKAT, JABATAN MAJLIS UGAMA ISLAM
KEMENTERIAN HAL EHWAL UGAMA
NEGARA BRUNEI DARUSSALAM

BORANG PERMOHONAN BAGI BANTUAN WANG ZAKAT MAJLIS UGAMA ISLAM

Nama Pemohon :	Daerah :	
No. Kad Pengenalan :	Warna :	
Alamat :	Poskod :	
No. Telefon: Rumah :	Mobile :	Pejabat :
No. Buku Akaun :	Nama Bank :	
BANTUAN YANG DIPOHONKAN :		
<input type="checkbox"/> Keperluan Asasi <input type="checkbox"/> Rawatan kesihatan		
<input type="checkbox"/> Persekolahan* : i. Kewangan Bulanan ii. Yuran iii. Peralatan/buku teks iv. Kenderaan		
<input type="checkbox"/> Perumahan:* i. Membaiki rumah ii. Membeli rumah iii. Membina rumah iv. Sewa v. Peralatan membina vi. Bayaran Elektrik/Air vii. Pendawajan Elektrik		
<input type="checkbox"/> Modal Berusaha* : i. Perahu Tambang ii. Mesin Jahit iii. Alat Pertanian iv. Lain-lain :		
Nyatakan :		
Tandakan (√) pada jenis bantuan yang dikehendaki. Pada bahagian yang bertanda * gariskan di bawah jenis bantuan yang diperlukan		

UNTUK KEGUNAAN PEJABAT SAHAJA

Tarikh borang dikembalikan : Nama Pegawai Menerima :

Rujukan Fail : Nama Pegawai Penyiasat :

Tarikh Penyiasatan : Jam :

Tarikh Mesyuarat Meneliti : Bil. Kertas Mesyuarat :

Nama Pemohon : No. K/P :

1. KETERANGAN PEMOHON

Status Perkahwinan: Kahwin / Janda / Balu / Bujang / Duda
 Pekerjaan: Bekerja / Tidak bekerja Majikan : Kerajaan / Swasta / Sendiri
 Umur : tahun Tarikh Lahir:
 Nama Jabatan/Syarikat:
 Jawatan:
 Gaji/Pendapatan sebulan S
 Tanggungan: () Isteri, () Anak
 Tanggungan lain selain anak dan isteri: Ibu / Bapa / Mertua / Adik-Beradik
 Jika adik-beradik berapa orang?, orang

CATATAN PEGAWAI PENYIASAT

2. KETERANGAN ANAK YANG BERSEKOLAH

BIL.	NAMA ANAK	UMUR	SEKOLAH MENENGAH/RENDAH	DARJAH/ TINGKATAN

3. KETERANGAN ANAK YANG TIDAK BERSEKOLAH

BIL.	NAMA ANAK	UMUR

4. KETERANGAN PASANGAN PEMOHON : SUAMI / ISTERI

Nama :
 No. K/P: Warna:
 Bangsa: Tarikh Lahir:
 Tempat Lahir: Umur: tahun
 Pekerjaan:
 Majikan: Swasta / Kerajaan Gaji / Pendapatan sebulan:
 Alamat (Jika tidak sama dengan pemohon):

 Poskod:
 Tarikh meninggal dunia (Jika berkenaan):

Nama Pemohon:

No. K/P:

5. KETERANGAN ISTERI KEDUA/KETIGA/KEEMPAT
(Sila Isikan bahagian ini jika berkenaan)

Isteri kedua :

Nama :

No. K/P:

Warna :

Bangsa :

Tarikh Lahir :

Tempat Lahir :

Umur :

tahun

Pekerjaan :

Majikan : Swasta / Kerajaan

Gaji/Pendapatan sebulan :

Alamat (Jika tidak sama dengan pemohon) :

Poskod :

Tarikh meninggal dunia (Jika berkenaan) :

Isteri ketiga :

Nama :

No. K/P:

Warna :

Bangsa :

Tarikh Lahir :

Tempat Lahir :

Umur :

tahun

Pekerjaan :

Majikan : Swasta / Kerajaan

Gaji/Pendapatan sebulan :

Alamat (Jika tidak sama dengan pemohon) :

Poskod :

Tarikh meninggal dunia (Jika berkenaan) :

Isteri keempat :

Nama :

No. K/P:

Warna :

Bangsa :

Tarikh Lahir :

Tempat Lahir :

Umur :

tahun

Pekerjaan :

Majikan : Swasta / Kerajaan

Gaji/Pendapatan sebulan :

Alamat (Jika tidak sama dengan pemohon) :

Poskod :

Tarikh meninggal dunia (Jika berkenaan) :

CATATAN PEGAWAI PENYIASAT

Nama Pemohon : No. K/P:

6. KETERANGAN ANAK-ANAK TIDAK DI BAWAH TANGGUNGAN (BUJANG / KAHWIN BEKERJA / TIDAK BEKERJA TERMASUK YANG MENUNTUT DI PENGAJIAN TINGGI

BIL.	NAMA	UMUR	PEKERJAAN/ KURSUS	KERAJAAN/ SWASTA	GAJI/ELAUN SEBULAN	KAHWIN/ BUJANG	RAMAI ANAK

7. TINGGAL DI RUMAH KEPUNYAAN :

Sendiri atas nama :

Rumah Perpindahan/Perumahan Yayasan/

Rumah Sewa dengan bayaran \$ sebulan

Rumah Bantuan MUIB kepunyaan :

Menumpang di rumah ibu bapa/mentua/saudara :

Nama Ibu Bapa/Mentua/Saudara :

Pekerjaannya : Pendapatan sebulan \$

Ramai Tanggungan: Isteri orang Anak orang

Keluarga lain yang tinggal bersama : Keluarga :

Adakah pemohon juga membantu membayar rumah /api elektrik /air:

Ya/Tidak Bayaran sebulan: \$

CATATAN PEGAWAI PENYIASAT

8. KETERANGAN PENDAPATAN PEMOHON

Gaji Pokok	\$	Elaun Cacat	\$
Kurnia Khas	\$	Elaun Gila	\$
Elaun Sara Hidup	\$	Pemberian Anak	\$
Pencen Persaraan	\$	Pemberian Saudara	\$
Pencen Umur Tua	\$	Pendapatan Bermiaga	\$
Pencen Turunan	\$	Pendapatan Menangkap Ikan	\$
Bantuan Kebajikan	\$	Pendapatan lain	\$
Bantuan MUIB:		Bantuan lain (nyatakan):	
Asasi	\$	\$
Persekolahan	\$	\$
Sewa Rumah	\$	\$
Agihan Zakat	\$	\$
(Hari Raya)	\$	\$
Lain-lain (nyatakan):	\$	\$
.....	\$	\$

Nama Pemohon:

No. K/P:

9. KETERANGAN PENDAPATAN PASANGAN PEMOHON

Gaji Pokok	\$	Eloun Cacat	\$
Kurnia Khas	\$	Eloun Gila	\$
Eloun Sara hidup	\$	Pemberian Anak	\$
Pencen Persaraan	\$	Pemberian Saudara	\$
Pencen Umur Tua	\$	Pendapatan Berniaga	\$
Pencen Turunan	\$	Pendapatan Menangkap Ikan	\$
Bantuan Kebajikan	\$	Pendapatan lain	\$
Bantuan lain	\$		\$

10. KETERANGAN PERBELANJAAN PEMOHON

Pengangkutan	\$	Pinjaman Peribadi	\$
Bil. Air	\$	Pembantu Rumah	\$
Bil. Elektrik	\$	Belanja Sekolah Anak / Tanggungan	\$
Bit. Telepon	\$	Lain-lain :-	\$
Belanja Dapur	\$		\$
Sewa Rumah	\$		\$
Pinjaman Rumah	\$		\$
Pinjaman Kereta	\$		\$

11. KETERANGAN HARTA-BENDA PEMOHON

Nama Harta-Benda	Jumlah	Nilai semua
Tanah bergeran	ekar	\$
Tanah T.O.L.	ekar	\$
Rumah	buah	\$
Kereta	buah	\$
Motosikal	buah	\$
Perahu	buah	\$
Barang kemas	gram	\$
Ternakan	ekor	\$
Wang simpanan	\$	\$
Rumah sewa	buah	\$
Astro/parabola	unit	\$
Mesin jahit	buah	\$
Alat menangkap ikan		\$
Peti sejuk	buah	\$
Radio	buah	\$
Televisyen	buah	\$
Perakam video	buah	\$
Lain-lain		\$

CATATAN PEGAWAI PENYIASAT

Nama Pemohon : No. K/P :

12. KESIHATAN PEMOHON DAN AHLI KELUARGA

	Sihat/Sakit	Nama Penyakit
Pemohon		
Pasangan Pemohon		
Ahli Keluarga		
Lain: Anak/Ibu/Bapa/ Mentua/Adik-Beradik/ Lain:		

CATATAN PEGAWAI PENYIASAT

13. KETERANGAN LAIN :

.....

14. PENGAKUAN PEMOHON

Saya dengan ini mengaku sesungguhnya bahawa segala keterangan yang disebutkan dan dijelaskan di atas adalah semuanya benar

.....
 (Tandatangan / Cap Ibu Jari Kanan Pemohon)

Tarikh:

15. ULASAN DAN PENGESAHAN DARIPADA KETUA KAMPUNG/PENGHULU

.....

Setelah saya meneliti keterangan-keterangan pemohon di atas, maka saya sesungguhnya mengaku dan mengesahkan bahawa keterangan-keterangan di atas adalah benar.

.....
 (Tandatangan/Cap Ketua Kampung/Penghulu)

Nama Ketua Kampung/Penghulu :

Alamat Sekarang :

Ketua Kampung/Penghulu bagi Kampung/Mukim :

No. Telefon: Rumah: Tel. Bimbit: Pejabat:

(* Jika perlu Ketua Kampung / Penghulu bolehlah membuat ulasan dan pengesahan berasingan).



Nama Pemohon :

No. K/P:

UNTUK KEGUNAAN PEJABAT SAHAJA

16. KETERANGAN PEGAWAI PENYIASAT

.....
.....
.....
.....
.....

17. SOKONGAN PENYIASAT

I. Pegawai Penyiasat menyokong untuk diberikan bantuan :

- i. \$ sebulan
ii. \$ sebulan
iii. \$ sebulan
iv. \$ sebulan

Atas sebab :

- i.
ii.
iii.

II. Pegawai Penyiasat tidak menyokong untuk diberikan bantuan kerana :

- i.
ii.
iii.

18. SEJARAH BANTUAN :

.....
.....
.....

19. KEPERLUAN PENDAPATAN :

Keperluan :		Pendapatan			
i.	Pemohon	\$	i.		
ii.	Isteri	\$	ii.		
iii.	Asasi	\$	iii.		
iv.	Anak Sekolah	\$	iv.		
JUMLAH			JUMLAH		

Kiraan : Baki / Lebihan :

Nama Pemohon :	No. K/P:
----------------------	----------------

UNTUK KEGUNAAN PEJABAT SAHAJA

20. CADANGAN DAN KEPUTUSAN JAWATANKUASA MENELITI

.....

.....

.....

.....

.....

Dihadapkan cadangan dan keputusan Jawatankuasa Meneliti tersebut di atas untuk pertimbangan Jawatankuasa Mengeluarkan Wang Zakat mengenainya.

21. KEPUTUSAN JAWATANKUASA MENGELOARKAN WANG ZAKAT :

.....

.....

.....

.....

.....

*Jabatan Majlis Ugama Islam,
Kementerian Hal Ehwal Ugama,
Negara Brunei Darussalam.*

APPENDIX C

BORANG PERMOHONAN WANG ZAKAT ASNAF AL-GHARIMIN

**BORANG PERMOHONAN WANG ZAKAT ASNAF AL-GHARIMIN
MAJLIS UGAMA ISLAM BRUNEI DARUSSALAM**

ARAHAN PENTING

- i. Pemohon hendaklah menyertakan dokumen-dokumen seperti berikut:-
 - a) Salinan kad pintar pemohon
 - b) Salinan kad pintar suami / isteri pemohon (jika berkenaan)
 - c) Salinan kad pintar / surat beranak anak-anak pemohon bagi yang belum mempunyai kad pintar dibawah tanggungan
 - d) Salinan sijil nikah / sijil cerai / sijil rujuk (jika berkenaan)
 - e) Salinan sijil mati suami / isteri (jika berkenaan)
 - f) Salinan slip gaji / pengesahan pendapatan daripada majikan terkini pemohon dan pasangan
 - g) Salinan buku bank / penyata akaun simpanan (jika berkenaan)
 - h) Salinan asal bil-bil terkini atau keterangan-keterangan mengenai hutang yang dipohonkan

- ii. Pemohon hendaklah membawa semua dokumen-dokumen asal semasa penyerahan borang permohonan.

- iii. Borang permohonan ini hendaklah diisikan dengan lengkap.

- iv. Borang yang tidak lengkap tidak akan diterima.

1. KETERANGAN PEMOHON

1. Nama

2. No. Kad Pintar Warna :

3. Tarikh Lahir 4. Umur : Tahun

5. Jantina
(Sila tandakan ✓) Lelaki Perempuan

6. Status
(Sila tandakan ✓) Bujang Kahwin Duda Balu Janda

7. Alamat Tempat Tinggal / Persuratan

8. No Telefon Yang Mudah Dihubungi (Rumah) (Bimbit) (Pejabat)

9. Pekerjaan Jawatan : _____
Jabatan/Majikan : _____

10. Pendapatan : A : Gaji Pokok Dan Elaun Elaun \$ _____
B : Jenis Pekerjaan :
Anggaran Pendapatan Sebulan \$ _____
C : Lain-Lain Pendapatan/Bantuan:
Pencen Umur Tua \$ _____
Pencen Persaraan \$ _____
Pencen Turunan \$ _____
MUIB \$ _____
JAPEM \$ _____
Pemberian Anak \$ _____
D : Lain-Lain (sila nyatakan/anggaran)
..... \$ _____
JUMLAH KESELURUHAN \$ _____

11. Jumlah Tanggungan Isteri Tanggungan

2. KETERANGAN ISTERI / SUAMI

1. Nama	<input type="text"/>		
2. No. Kad Pintar	<input type="text"/>	Warna : <input type="text"/>	
3. Tarikh Lahir	<input type="text"/>	4. Umur :	Tahun <input type="text"/>
5. Alamat Tempat Tinggal / Persuratan	<input type="text"/>		
6. No Telefon Yang Mudah Dihubungi	<input type="text"/> (Rumah)	<input type="text"/> (Bimbit)	<input type="text"/> (Pejabat)
7. Pekerjaan	Jawatan : _____ Jabatan/Majikan : _____		
8. Pendapatan :	A : Gaji Pokok Dan Elaun Elaun		\$ _____
	B : Jenis Pekerjaan :		
	Anggaran Pendapatan Sebulan		\$ _____
	C : Lain-Lain Pendapatan/Bantuan:		
	Pencen Umur Tua		\$ _____
	Pencen Persaraan		\$ _____
	Pencen Turunan		\$ _____
	MUIB		\$ _____
	JAPEM ✓		\$ _____
	Pemberian Anak		\$ _____
	D : Lain-Lain (sila nyatakan/anggaran)		
		\$ _____
	JUMLAH KESELURUHAN		\$ _____

Peringatan : Bagi pemohon yang mempunyai lebih daripada seorang isteri hendaklah membuat salinan keterangan isteri yang lain untuk diisikan dan dilampirkan bersama dengan borang permohonan.

3. KETERANGAN ANAK-ANAK PEMOHON YANG DIBAWAH TANGGUNGAN

Bil	Nama	Tarikh Lahir	Umur	No Kad Pintar/Surat Beranak	Belum Sekolah/ Tidak Sekolah	Nama Sekolah	Tahun Persekolahan
1							
2							
3							
4							
5							
6							
7							
8							

4. KETERANGAN ORANG-ORANG DIBAWAH TANGGUNGAN (Tidak termasuk Isteri)

Bil	Nama	Tarikh Lahir	Umur	No Kad Pintar/Surat Beranak	Status	Hubungan dengan Pemohon
1						
2						
3						
4						
5						
6						

5. KETERANGAN ANAK-ANAK YANG BUKAN DIBAWAH TANGGUNGAN

Bil	Nama	Tarikh Lahir	No Kad Pintar/Surat Beranak	Status	Jumlah Tanggungan	Pekerjaan	Pendapatan Sebulan	Perbelanjaan Bulanan	Baki Pendapatan Sebulan
1									
2									
3									
4									
5									
6									
7									
8									

** SILA ISI BORANG KETERANGAN PERBELANJAAN BULANAN ANAK PEMOHON DAN KETERANGAN PERBELANJAAN TAHUNAN ANAK PEMOHON

6. KETERANGAN PERBELANJAAN BULANAN PEMOHON

BIL	JENIS PERBELANJAAN	JUMLAH KADAR PERBELANJAAN SEBULAN (\$)
1	Perbelanjaan Dapur	
2	Potongan Pinjaman Perumahan	
3	Bayaran Sewa Rumah*	
4	Potongan Pinjaman Kenderaan	
5	Potongan Pembiayaan/Pinjaman Peribadi **	
6	Potongan Pinjaman Kad Kredit**	
7	Potongan Bankrapsi**	
8	Gaji Pembantu Rumah	
9	Perbelanjaan Minyak Kereta/Tambang	
10	Bil Elektrik	
11	Bil Air	
12	Bil Telefon	
13	Bil Telefon Bimbit	
14	Potongan Lain-Lain Hutang (nyatakan)	
	a)	
	b)	
	c)	
	JUMLAH KESELURUHAN PERBELANJAAN	\$

JUMLAH PENDAPATAN	\$
JUMLAH KESELURUHAN PERBELANJAAN	\$
BAKI BERSIH PENDAPATAN SEBULAN	\$

* Selain yang dibayarkan oleh Majlis Ugama Islam Brunei

**Jika Berkenaan

7. KETERANGAN PERBELANJAAN TAHUNAN PEMOHON

Bil	Jenis Perbelanjaan	Jumlah Kadar Perbelanjaan (\$)
1	Takaful / Insuran Rumah	
2	Takaful / Insuran Kereta	
3	Takaful / Insuran Pembantu Rumah	
4	Cukai Tanah	
5	Cukai Pintu	
6	Lain-Lain Belanja (Nyatakan);	
	a)	
	b)	
	c)	
	Jumlah	

8. KETERANGAN HARTA BENDA PEMOHON

Bil	Jenis Harta	Jumlah
1	Tanah Bergeran	
2	Tanah T.O.L	
3	Rumah	
4	Kereta	
5	Motosikal/Basikal	
6	Perahu	
7	Barang Kemas	
8	Wang Simpanan	
9	Astro	
10	Parabola	
11	Telefon Bimbit	
12	Televisyen	
13	Komputer	
14	Lain-Lain Harta (Nyatakan)	
	a)	
	b)	
	c)	

9. KETERANGAN HUTANG YANG DIPOHONKAN

Bil	Jenis Hutang	Bayaran Sebulan (\$)	Tempat Berhutang	Mula Tertunggak	Jumlah Tertunggak (\$)	Baki Hutang (\$)
1						
2						
3						
4						
5						
6						
7						
JUMLAH KESELURUHAN HUTANG						

10. KETERANGAN SEBAB-SEBAB BERHUTANG

11. PENGAKUAN PEMOHON

Saya dengan ini mengakui bahawa sesungguhnya segala keterangan yang saya nyatakan di dalam permohonan ini adalah betul.

Tandatangan / Cap Jari : _____

Tarikh : _____



A. Tarikh Borang Diterima : _____

B. Borang lengkap Ya Tidak

C. Dikembalikan kepada pemohon pada : _____

D. Nama Pegawai yang menerima : _____

E. Tandatangan : _____

F. Tarikh : _____ Cop Jabatan

LAPORAN PEGAWAI PENYIASAT

Nama Penyiasat : _____

Tarikh Menerima Arahan : _____

Tarikh Menyiasat : _____

Tandatangan : _____

Tarikh : _____

APPENDIX D
BORANG KETERANGAN ANAK PEMOHON

NAMA ANAK PEMOHON : _____



1. KETERANGAN PERBELANJAAN BULANAN ANAK PEMOHON

BIL	JENIS PERBELANJAAN	JUMLAH KADAR PERBELANJAAN SEBULAN (\$)
1	Perbelanjaan Dapur	
2	Potongan Pinjaman Perumahan	
3	Bayaran Sewa Rumah*	
4	Potongan Pinjaman Kenderaan	
5	Potongan Pembiayaan/Pinjaman Peribadi **	
6	Potongan Pinjaman Kad Kredit**	
7	Potongan Bankrapsi**	
8	Gaji Pembantu Rumah	
9	Perbelanjaan Minyak Kereta/Tambang	
10	Bil Elektrik	
11	Bil Air	
12	Bil Telefon	
13	Bil Telefon Bimbit	
14	Potongan Lain-Lain Hutang (nyatakan)	
	a)	
	b)	
	c)	
	JUMLAH KESELURUHAN PERBELANJAAN	\$

JUMLAH PENDAPATAN	\$
JUMLAH KESELURUHAN PERBELANJAAN	\$
BAKI BERSIH PENDAPATAN SEBULAN	\$

* Selain yang dibayarkan oleh Majlis Ugama Islam Brunei

**Jika Berkenaan

2. KETERANGAN PERBELANJAAN TAHUNAN ANAK PEMOHON

Bil	Jenis Perbelanjaan	Jumlah Kadar Perbelanjaan (\$)
1	Takaful / Insuran Rumah	
2	Takaful / Insuran Kereta	
3	Takaful / Insuran Pembantu Rumah	
4	Cukai Tanah	
5	Cukai Pintu	
6	Lain-Lain Belanja (Nyatakan);	
	a)	
	b)	
	c)	
	Jumlah	