

260415 - Is it permissible for a charity to give out zakat al-fitr before receiving it from donors?

the question

There is a charity that has done a study on the amount of zakat al-fitr that is given annually, by examining the files of the poor and needy, the number of families who are entitled to receive it, and the extent of each family's need. They also estimate the annual total of zakat al-fitr on the basis of what was collected in previous years. Because when the charity purchases grains, they purchase them in large amounts, at a good price, so it is impossible for them to wait until one or two days before Eid to purchase the grains. Hence they estimate what they will need on the basis of previous experience, and they buy the grains, paying for them with the charity's funds, and they start to distribute them whilst they are receiving zakaah money from people during that time and afterwards, and if there is a slight discrepancy, more or less, they make it up on the last of the two days, at which point it is easy to correct any discrepancy. What is your opinion on that? Is it permissible to give out zakat al-fitr before receiving it and before the giver has formed the intention to give it?

Detailed answer

Firstly:

Sadaqat al-fitr (or zakat al-fitr), like other acts of worship, is not valid without the proper intention (niyyah) on the part of the giver, because the Prophet (blessings and peace of Allah be upon him) said: "Actions are but by intentions, and each person will have but that which he intended." Narrated by al-Bukhaari (1).

Ibn Qudaamah (may Allah have mercy on him) said: It is not permissible to give zakaah without the proper intention, unless the ruler takes it from him by force. The view of the majority of fuqaha' is that forming the intention is a prerequisite to giving zakaah, except for the report from al-Awzaa'i according to which he said: The intention (niyyah) is not necessary for zakaah...

It is permissible for the intention to precede the action, so long as the interval between them is brief, as with all other acts of worship; moreover, as it is permissible to appoint a proxy to give zakaah, stipulating that the intention must immediately precede the action, with no time lapse in between, could lead to the act being rendered invalid.

If a person gives zakaah to his proxy and he - not his proxy - forms the intention (niyyah), that is acceptable if the interval between his giving the zakaah and its payment to the recipient is not lengthy.

But if the interval is lengthy, it is not acceptable, unless he formed the intention at the time of giving it to his proxy, and his proxy formed the intention at the time of giving it to the recipient.

If the proxy formed the intention, but the one who appointed him did not (and the interval was lengthy), then it is not acceptable, because the intention is a prerequisite of the action.

End quote from al-Mughni (2/476).

Shaykh al-Islam Ibn Taymiyyah said:

Although zakaah is a financial obligation, it is a duty that one should do for the sake of Allah.

Therefore it is essential to form the intention (niyyah) of doing it, and it is not acceptable for someone else to do it on a person's behalf without his permission.

End quote from Majmoo' al-Fataawa (7/315).

Al-Mirdaawi (may Allah have mercy on him) said: If a person gives zakaah from his wealth on behalf of a living person without his permission, it is not valid, but with his permission it is valid.

End quote from al-Insaaf (3/198).

Based on that, if the charity gives sadaqat al-fitr on behalf of someone who has not appointed it to do so, that is not acceptable.

Secondly:

The charity may buy grains with its own funds, during Ramadan or beforehand, then sell them to those who want to give zakat al-fitr, and it may act on behalf of those donors to give them out one or two days before Eid.

But it is not permissible for it to give zakaah before it has been appointed to do so, then take the price of the grains from people after that.

We put a similar question to Shaykh Ibn 'Uthaymeen (may Allah have mercy on him) and he replied:

There is nothing wrong with the centre buying food beforehand, then selling it to those who want to buy zakat al-fitr, then distributing it at the time prescribed. End quote.

Shaykh Ibn Jibreen (may Allah have mercy on him) was asked: Is it permissible to be appointed by those who want to give zakat al-fitr, to receive the zakaah after the fifteenth of Ramadan, then distribute it one or two days before Eid? May Allah bless you and keep you.

He replied: There is nothing wrong with appointing someone to distribute zakat al-fitr on one's behalf, which means giving it or its price to the proxy, at the beginning of the month or halfway through.

It is preferable for zakat al-fitr to be distributed in the same city or town where the donors on whose behalf it is given reside, and the proxy should distribute it in their city or town on the day of Eid, or one or two days beforehand.

And Allah knows best. End quote from the [Shaykh's website](#).

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