ITQAN: Journal of Islamic Economics, Management, and Finance
https://journal.itqanpreneurs.com/index.php/itqan/index
Vol : 1 No 2, July 2022
Page : 60-67
E-ISSN : 2810-0700

Application of *Nishab* of *Zakat* Profession at BAZNAS Tanah Datar Regency

Afrimaigus[1], Nadia Renata[2]
[1] BAZNAS Tanah Datar, Indonesia (Email: rikobaznas@gmail.com)
[2] IAIN Batusangkar, Indonesia (Email: nadiarenata77@gmail.com)

ABSTRACT

Zakat is a pillar of Islam that must be fulfilled by Muslims who have fulfilled the Nishab. One of the Zakat management entities in Indonesia is the National Amil Zakat Agency (BAZNAS) Tanah Datar Regency. This study aimed to determine the standard for the professional Zakat Nishab applicable in BAZNAS Tanah Datar Regency. This study uses a qualitative descriptive method with a case study and a literature study. Data sources are from interviews with the Head and Executive Head of BAZNAS Tanah Datar Regency and the Zakat Collecting Unit (UPZ) management within the Tanah Datar Regency Government. Secondary data sources came from literature and documentation. The results showed that BAZNAS Tanah Datar Regency had two professional Zakat Nishab standards, namely 34 gold, equivalent to 85 grams of gold, and civil servants at least group 3A.

Keywords: Zakat Profession, Baznas Tanah Datar, Nishab, Gold.

INTRODUCTION

Zakat, one of the five pillars of Islam, has a critical and particular position in the teachings of Islam. In the relationship between humans and their Creator, *Zakat* worship is proof of obedience and love. However, in human relations, *Zakat* becomes a tool to create socio-economic justice and develop economic potential. In other words, *Zakat* will make the rich richer and the poor richer (Qardhawi, 2004; Sabiq, 2006; and Hafidhuddin, 2007).

The discussion of *Zakat* in the treasury of Islamic science has developed very dynamically. At least the development of the study of *Zakat* fiqh can be divided into two classifications: classical *Zakat* fiqh and contemporary *Zakat* fiqh. There needs to be a discussion of professional or income *Zakat* in classical fiqh studies. The study of professional *Zakat* only emerged in the 60s after Mujtahid Yusuf al-Qardhawi discussed it in a book, Fiqh Az Zakah, which was first printed in 1969.

Whereas in Indonesia, the study of professional *Zakat* only began in the late 90s, marked by the promulgation of Law number 38 of 1999 on *Zakat* Management and the translation of the Book of *Fiqh Az Zakah* by Didin Hafiduddin into Indonesian with the title *Fiqh of Zakat* which was published in 1999. Since then, the discussion about professional *Zakat* has become more and more discussed, and the emergence of *Zakat* Management Organizations (OPZ) such as BAZNAS, BAZDA, and LAZ (Saputra, 2018; Habibah, 2015; Anggraini & Jahar, 2020; and Sutanto, 2020).

Apart from differences of opinion about the professional *Zakat* law, implementing this worship in Indonesia has given rise to much academic dialogue. Among other things, there are recommendations to pay *Zakat* through amil *Zakat*, haul, how to pay professional *Zakat* and determine the professional *Zakat Nishab*. In Indonesia, there are at least three regulations regarding the decision of the professional *Zakat Nishab*, namely 1) Fatwa of the Indonesian Ulema Council (MUI) number 3 of 2003 concerning income *Zakat*. 2) 66 Regulation of the Minister of Religion (PMA) Number 52 of 2014 concerning Requirements and Procedures for Calculation of *Zakat* Mal and *Zakat* Fitrah and Utilization of *Zakat* for Productive Businesses, and 3) Decree of the Chairman of the National Boaard of *Zakat* Number 73 of 2017 concerning *Nishab* Value of Income or Professional *Zakat*. (Miftaakhul, 2019), (Bimasakti, 2019), (Resmi, 2016), (Yustisia & Susilowati, 2020).

Determining the professional *Zakat Nishab* leaves problems, including the equating between the professional *Zakat Nishab* and salary. Employees with a basic wage below the *Nishab* feel they are not obliged to pay *Zakat*. This understanding does not follow the *Nishab* of professional *Zakat*, which determines the *Nishab* of non-salary income. This problem also occurs in Tanah Datar Regency. There are many understandings of the State Warden Apparatus. They argue that the calculation of professional *Zakat Nishab* is based on salary, not income (Yustisia & Susilowati, 2020) (interview with Ali Akbar, Wednesday 31 March 2021) (interview with Rita Afrianti, Wednesday 31 March 2021). It is certainly resolved. It relates to the determination of the profession's *Zakat Nishab*.

In terms of language, *Zakat* comes from Arabic and has many meanings. For example, *Zakat* comes from *zaka-yazku-zakatan*, which means growing or developing. This understanding is also expressed by Abu Hanifah, *Zakat al-zar'u*, which means a growing plant. So, *Zakat* grows, develops, is good, holy, and a blessing in the language. Meanwhile, the term syara is a name for the particular taking of certain assets according to specific characteristics of certain groups (Muin, 2020).

The Law of the Republic of Indonesia Number 23 of 2011 Article 1 concerning *Zakat* management explains that *Zakat* is an obligatory asset issued by a Muslim person or business entity to be given to those entitled to receive it following Islamic law. In the four schools of scholars, we find the definition of *Zakat* in their books, with different purposes and limitations. According to Al-Hanafiyah, *Zakat* is the ownership of certain parts of the property from certain assets to certain people who have been determined by the maker of *Sharia* (Allah) by expecting His pleasure. The Al-Malikiyah school emphasizes the necessity of *Nishab*, the perfection of the property ownership status of the person who issues *Zakat*, and the provision of a haul (a year-round) that must be passed before *Zakat* is given. Moreover, it emphasizes the source of wealth, namely mining and rice fields.

The As-Syafi'iyah School defines fiqh as were for something that is removed from property and body in a certain way. According to Al-Hanabilah, *Zakat* is a property that must be removed from certain assets to be given to certain groups at a particular time. A professional, or professional, in Arabic terminology, is known as *al-mihn*. This sentence is the plural form of *al-mihnah*, which means work or service. A profession in terms of a job requires expertise, knowledge, and intelligence. Yusuf Qardawi said that a profession is a job or business that generates money or wealth, whether the work or business is carried out alone, without depending on other people, or by relying on other people, such as the government, private companies, or with individuals with wages, salaries, or honorarium. Professional *Zakat* is *Zakat* imposed on every profession or specific work, whether done alone or with other people/institutions, which brings income (money) that meets the *Nishab* (minimum limit of assets to pay *Zakat*). (Qodariah, 2020, p. 123)

Professional *Zakat* or also called income *Zakat*, is *Zakat* on assets issued from the income of a person or profession when it has reached the *Nishab*, such as the income of employees, doctors, and notaries (Sahroni, 2018, p. 126). In the book of Jurisprudence Az-Zakah, professional *Zakat* is referred to as *zakahawatib al-muwaqafīn* (*Zakat* on employee salaries) or *zakah kasb al-'amal wa al-mihan al-qurrah* (*Zakat* from work and private professions). 67 Meanwhile, the Law of the Republic of Indonesia Number 23 of 2011 concerning the Management of *Zakat* (*Zakat* Law) calls the term zakat of income and services. In the derivative rules of this Law, the Regulation of the Minister of Religion of the Republic of Indonesia Number 52 of 2014 concerning the Terms and Procedures for Calculation of *Zakat Mal* and *Zakat Fitrah* and the Utilization of *Zakat* for Productive Business (Permenag *Zakat* 2014). *Zakat's* income and services are explained. It is namely *Zakat* issued from income obtained from professional results when receiving payment with a *Nishab* of 653 kg of grain or 524 kg of rice, and the *Zakat* rate is 2.5%. Slightly different from the MUI Fatwa No. 3 of 2003 concerning Income *Zakat*, which states that the *Nishab* of professional *Zakat* is 85 grams of gold and applies to haul (Nasution, 2019).

METHOD

The research method that the author uses is descriptive qualitative. The data sources are primary data sources and secondary data sources. The primary data sources are the Chief Executive, the Head of BAZNAS Collection in Tanah Datar Regency, while the secondary data the authors get from the study of literature and documents related to the determination of the professional *Zakat Nishab*.

RESULT AND DISCUSSION

Professional *Zakat* Regulations

Fatwa of the Indonesian Ulema Council (MUI)

The Indonesian Ulema Council (MUI), after receiving many questions about the obligation to issue *Zakat* for employees. Because they have a steady income, other professions, such as doctors, lawyers, consultants, lecturers, and other workers, issued a fatwa related to the application of Professional *Zakat* in Indonesia. The fatwa is based on the Surah al-Baqarah verse 267 and verse 219 and the letter at Taubah verse 103. Apart from the Quran, this fatwa is also based on the Hadith of the Prophet Muhammad, namely HR Muslim number 1631, HR Bukhari number 1338, HR Ahmad number 10.107, and Yusuf al-Qardhawi's opinion in the Book of Fiqh az Zakah.

In fatwa number 3 of 2003, the Indonesian Ulema Council (MUI) decided on a fatwa containing several things. First, what is meant by "income" is any income such as salary, honorarium, wages, services, and others obtained using halal. Whether routines such as state officials, employees or employees, or non-routine such as doctors, lawyers, consultants, and the like, income earned from other independent jobs. Second, all forms of halal payment must be issued *Zakat* on condition. It has reached the *Nishab* in one year, worth 85 grams of gold. Then, *Zakat* on income is published at receipt if the *Nishab* is sufficient. Suppose it does not reach the *Nishab*. Then, all revenue is collected for one year, and *Zakat* is issued if the net income is good. In the end, the level of zakat income is 2.5%.

Regulation of the Minister of Religion (PMA) Number 52 of 2014

This Regulation of the Minister of Religion (PMA) explains Law number 23 of 2011 concerning *Zakat* Management. This PMA details the procedures for calculating *Zakat* mal and *Zakat* fitrah, including professional *Zakat*. In this PMA, instructions are also explained on implementing efforts to utilize *Zakat* funds for productive businesses. As a guide for 68 implementing the calculation of professional *Zakat*, it is contained in paragraph 8 concerning *Zakat* on income and services. Then, in article 26, it is explained that the *Nishab* of *Zakat* on remuneration and benefits is 653 Kg of grain or 524 Kg of rice. And the level of *Zakat* income and services is 2.5%. Finally, article 27 explains that *Zakat* on remuneration and benefits is paid when the payment and services are received and delivered through the official *Amil Zakat*.

Decision of the Chairman of the National Board of *Zakat*

The decision of the Chairman of BAZNAS RI Number 142 of 2017 is in the context of standardizing the calculation of income *Zakat* because the current *Nishab* value for income *Zakat* is not following the times. Therefore, chairman Decree Number 142 of 2017, BAZNAS RI, decided several things, namely 1) the *Nishab* value of *Zakat* income in all regions of Indonesia in 2017 was IDR5.240,000, - (five million two hundred and forty thousand rupiahs). 2) Income *Zakat* is paid when received and paid through the official amil *Zakat*. 3) The level of *Zakat* income is at least 2.5% (two points five percent) of gross income.

Decree of the Chairman of the National Amil *Zakat* Agency of West Sumatra Province

The decision of the Head of BAZNAS of West Sumatra Province Number 29 of 2021 is a form of carrying out the task of collecting *Zakat* on assets (*Zakat* mal), which includes collecting *Zakat* on income from *Muzakki*, both from the State Civil Apparatus (ASN) and Private Employees and from the general public. (Non-ASN). To simplify the calculation of income *Zakat*, the conversion value of the *Zakat* income *Nishab* is determined into rupiah. Therefore, the *Nishab* conversion value of income *Zakat* to rupiah that was applied previously was deemed necessary to adjust to the current gold price (post 'Idul Fitri 1442 H) to be enforced one qamariyah year ahead.

The Decree of the Head of BAZNAS of West Sumatra Province Number 29 of 2021 contains, 1) The income *Zakat Nishab*, is equal to the gold *Nishab*, which is 85 grams of pure gold. 2) The *Nishab* value of income in 2021/2022 with the standard selling price of gold in the city of Padang on 18 May 2021/6 Shawwal 1442 H is worth 85 grams of gold X IDR860.711, - IDR73,160,435,- (seventy-three million one hundred sixty-four hundred thirty-five rupiah) or the average monthly income of IDR6,096,702, - (six million ninety-six thousand seven hundred and two rupiah). 3) The object of income *Zakat* is gross income received for one year from various sources of income: Salary/wages, allowances, honorarium/activity incentives, overtime pay, and other income. 4) The level of income *Zakat* is 2.5% (two point five percent) of gross income if it reaches the *Nishab* or more. 5) The *Nishab* value for income *Zakat* is set for one qamariyah year, from the beginning of Shawwal 1442 H to the end of Ramadan 1443 H in 2021/2022 AD 6) Income *Zakat* is paid at the time of realization of receipt and paid through official of *Zakat Amil*.

Comparison of Professional *Zakat* Regulations

The calculation of the Professional *Zakat Nishab* refers to the four regulations, but with some differences. In detail, the comparison of the four can be seen in the following table.

Table 1. Comparison of Professional *Zakat* Regulations

No	Dimension	Fatwa of MUI No. 3 year 2003	PMA No. 52 of 2014	Decision of the Chairman of BAZNAS RI No. 142 of 2017	Decision of the Chairman of BAZNAS West Sumatera No.29 of 2021
1	*Nishab*	85 grams of gold	653 kg of grain or 524 kg of fallow	IDR5.240.000	85 grams of gold worth IDR73,160,435 or an average of IDR6,096.702
2	Haul	1. Issued upon receipt if the *Nishab* is sufficient. 2. If it does not reach the *Nishab*, then all income is collected for one year; Then *zakat* is issued if the net income is sufficient.	Payable when income and services are received and paid through the official amil *zakat*	Payable when income is received and paid through the official amil *zakat*	Paid at the time of realization of receipt and paid through the official amil *zakat*
3	Rate	2,5%	2,5%	2,5%	2,5%

Source: Processed data (2021)

From table 1, it can be seen that the differences in the MUI fatwa, the Minister of Religion Regulation, the Decree of the Chairman of BAZNAS RI on Professional *Zakat*, and the Decree of the Chairperson of the BAZNAS West Sumatra Province regarding

Professional *Zakat* also affect the determination of the *Nishab* value of professional *Zakat*.

Comparison of Professional *Zakat* Regulations

After the 1998 reformation, it was the initial milestone of the movement of the *Zakat* civilization in Indonesia. A new chapter of *Zakat* management in Indonesia has begun with the promulgation of law number 38 of 1999 concerning *Zakat* management. The spirit of *Zakat* management that is so great is also felt in Tanah Datar Regency. At the beginning of its appearance, *Zakat* was managed by a state institution called the Amil *Zakat* Board (BAZ). Like a new organization, BAZ has become a *Zakat* management institution at the district level. BAZ seeks to realize its existence as an official institution for *Zakat* management at the district level. However, in the absence of strong regulations, the efforts made by BAZ could be more optimal. In the early years of BAZ's establishment, this institution could only collect a few tens of millions in one year.

In this period, the regulation stipulates that the lowest *Zakat* management is at the sub-district level, with the presence of the district BAZ. The district bus coordinates the sub-district BAZ in Tanah Datar Regency. However, various improvements are still being made, especially to the internal institutions. The availability of appropriate offices and adequate human resources made the educational efforts undertaken by BAZ begin to be felt in Tanah Datar Regency. During this period, BAZ was like a social institution that collected funds from the community according to the wishes and the number of donations from the district. So the regulation on *Nishab* and haul is only material for socialization and education without having binding power to *Muzakki*, who deposit their *Zakat* to BAZ.

Comparison of Professional *Zakat* Regulations

In early 2011, the management of *Zakat* nationally showed a significant improvement. Law number 38 of 1999 is considered ineffective as a regulation of *Zakat* management 70 in Indonesia, as amended. Law number 23 of 2011 was born, which became Indonesia's new regulation of *Zakat* management. This law is much more effective in regulating *Zakat* management in Indonesia because it differs from the previous law. Law number 23 of 2011 was also accompanied by government regulation 14 of 2014. So *Zakat* management, the government's authority, becomes so felt at the district level. The new law brings several fundamental changes, one of which is that the lowest level of *Zakat* management is at the district level. So that all sub-district BAZs change their functions into sub-district *Zakat* collection units (UPZ) under the control of district BAZs

In this period, the socialization of *Zakat*, especially professional *Zakat*, began to be seriously promoted. Civil servants are the main target in collecting *Zakat*. All levels of regional leadership participate in the professional *Zakat* campaign. Various kinds of socialization and education are intensively carried out, and the understanding of the rights of others in the salaries earned by civil servants massively campaigns. But uniquely, the Tanah Datar Regency BAZ campaigned for the professional *Zakat Nishab*, which was different from the existing regulations at that time. The rate used to calculate the *Nishab* of professional *Zakat* is not grams of gold, grain, or rice but uses a size of 1 gold.

The *Nishab* of professional *Zakat*, always socialized to civil servants, was 85 grams, equivalent to 34 gold. Because the people of Tanah Datar Regency generally use a gold size of 1 to measure the gold content, the *Nishab* value of professional *Zakat*, which is so popular and understood by the public, is 34 gold. Moreover, this understanding has continued to develop over the years. The price of gold at that time was around IDR1.000.000, - up to IDR1.200.000.- so the *Nishab* of professional *Zakat* was in the range of IDR40,000,000 - with such a profession's *Zakat Nishab* calculation, it becomes a different standard in deducting *Zakat* for civil servants. So employees with salaries above 3 million are obliged to pay *Zakat* or *Muzakki*. This understanding persisted for years without any problems at all.

Period of Application of Law 23 of 2011

Four years after the promulgation of law number 23 of 2011 concerning *Zakat* management, in 2015, BAZ Tanah Datar Regency changed its name to BAZNAS Tanah Datar Regency. This name change is also the beginning of fully implementing *Zakat* regulations. BAZNAS RI also provides rules regarding zakat management, one of which is about the *Nishab* value of income or profession *Zakat*. The law was marked by the chairman's decision of the National Board of *Zakat* number 73 of 2017 concerning the *Nishab* matter for income or profession *Zakat*. An understanding of the professional *Zakat Nishab* of 34 gold was initially understood that Civil Servants with salaries above IDR3,000,000, already obligatory *Zakat* began to reap problems.

BAZNAS Tanah Datar Regency is still adamant in socializing that a salary of 3 million and above is mandatory *Zakat* because Civil Servants who have a salary of 3 million and above also have other income such as performance allowances, certification, and remuneration as well as other benefits. Therefore, the fundamental issue regarding the determination of the professional *Zakat Nishab* for Civil Servants in Tanah Datar Regency does not conflict with existing regulations. Still, the understanding of the professional *Zakat Nishab* measured only from salary does not follow fiqh rules and regulations in Indonesia. So that even now, BAZNAS Tanah Datar Regency has not dared to socialize the Decision of the Head of BAZNAS regarding the income or profession *Zakat Nishab*.

Application of Professional *Zakat Nishab* at BAZNAS Tanah Datar Regency

***Nishab Zakat* Profession of 34 gold**

The determination of the professional *Zakat Nishab* of 34 gold is based on the calculation of 1 gold, equivalent to 2.5 grams of gold. So 85 grams of gold is equivalent to 34 gold. For one year, when converted to a gold price of IDR1.900.000,- per 1 gold, the professional *Zakat Nishab* is IDR64.600.000. At the same time, the *Nishab* of professional *Zakat* for one month is IDR64.600.000:13 months = IDR4,969,230.

***Nishab Zakat* Profession is determined by Civil Servants at least group 3A**

The professional *Zakat Nishab* is determined with a minimum of group 3 for Civil Servants because the *Zakat* obligation income has been confirmed to be more than one *Nishab*. The stipulation also ensures that all civil servants with *Muzakki* fulfil their obligations to pay *Zakat* monthly.

CONCLUSION

Based on these findings, this article concludes that the professional *Zakat Nishab* at BAZNAS Kab. Tanah Datar does not use existing regulations but uses the 34 gold standards, and the State Civil Apparatus (ASN) is based on a minimum of group 3A.

REFERENCE

Anggraini, S. A., & Jahar, A. S. (2020). Reformulasi Zakat Profesi Dalam Kerangka Filosofi Hukum Islam. Istinbath(Query date: 2021-03-28 08:54:40).

Bimasakti, M. A. (2019). Meninjau Zakat Penghasilan Pada Fatwa Mui No. 3 Tahun 2003 Dan Ijtihad Yusuf Qaradhawy. Hukum Islam, 18(2), 1-19.

Habibah, S. (2015). Zakat Profesi Dalam Pemikiran Fikih Kontemporer Studi Perspektif Ushul Fikih. Az Zarqa': Jurnal Hukum Bisnis Islam(Query date: 2021-03-28 08:54:40).

Hafidhuddin, D. (2007). Agar harta berkah dan bertambah: Gema Insani.

Miftaakhul, A. (2019). Implementasi Zakat Profesi (Studi Analisis Pelaksanaan Zakat Profesi Aparatur Sipil Negara Di Baznas Kabupaten Banyumas Perspektif Sosiologi Hukum Islam). IAIN Purwokerto.

Qardhawi, Y. (2004). Fikih Zakat terj. Salman Harun, et al. Bogor: PT. Pustaka Litera Antar Nusa.

Resmi, L. S. a. S. (2016). Studi Fatwa Mui No. 03 Tahun 2003 Tentang Zakat Profesi. Fakultas Agama Islam UNISSULA.

Sabiq, S. (2006). Fiqh al-Sunnah juz III. Beirut: Dar al-Fik.

Saputra, E. (2018). Mewujudkan Legalitas Pengelolaan Zakat Profesi Melalui Komunikasi Hukum Dalam Bentuk Sosialisasi. Sua Journal of Law(Query date: 2021-03-28 08:54:40).

Sutanto, A. (2020). Relevansi Maqâshid As-Syarî'ah Dalam Ketentuan Zakat Profesi: idr.uin-antasari.ac.id.

Yustisia, P., & Susilowati, D. (2020). Analisis Sistem Dan Metode Pengumpulan Zakat Penghasilan Aparatur Sipil Negara Pada Baznas Banyumas. Jurnal Ekonomi Islam| Islamic Economics Journal, 8(1).