



Fatwa no. 19060

Q: We are on the board of directors of the Charitable Institution for Memorizing the Qur'an in the governorate of Al-Bakiriyyah, and we represent the institution in all its affairs, such as collecting and receiving donations and spending them on the institution, according to what we see as beneficial, which we study in detail with honesty and thoroughness. Your Eminence, the Mufty (an Islamic scholar qualified to issue legal opinions), the assets of the institution include a bus, which we use in a business that yields revenue to the institution. However, the bus was involved in a traffic accident while performing this work, which was caused by the driver in the course of his duties. Do we have the right to forgive this driver, who was the cause of resultant damage from this accident and can we pay Zakah to the driver, as he needs it to settle the compensation?

A: It is not permissible for you to forgive the right of the institution on this driver, because you are representatives of needy people, so you are supposed to act on their behalf, only in a way that that achieves their interests.

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It is also not permissible for you to give him Zakah (obligatory charity) or any of the money belonging to the institution for him to pay the compensation that it is due from him, because this is not in the interests of the institution, and because Zakah cannot be paid to someone who owes the payer money for them to settle the debt. And Allah knows best. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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