

ZAKAT ON BUSINESS INVENTORY: ISSUES AND CHALLENGES IN NEGERI SEMBILAN

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Abstract

Zakat on business inventory is one of the obligatory zakat on traders in Negeri Sembilan. The Zakat Centre of Negeri Sembilan (PZNS) is the center of collecting and dividing zakat into their asnaf and is responsible for ensuring that traders carry out their obligations on zakat. Nevertheless, every matter related to zakat payment will have problems and issues that will be faced by a zakat center. This article is to clarify that there are issues and challenges faced by zakat center to attract traders in this regard? Hence, the main objective of this study is to study the zakat on business inventory in Negeri Sembilan as well as to clarify the issues and challenges faced by Zakat the Centre of Negeri Sembilan (PZNS) in process of collecting zakat on business inventory in this state. Regarding research methodology, this study uses on qualitative research method in the form of documentation and interviews with the parties involved directly or indirectly in this study.

Keywords: zakat on business inventory, issues and challenges, PZNS

INTRODUCTION

Malaysia is a country with a variety of businesses registered officially at the Companies Commission of Malaysia (SSM). This shows the attitude of the Malaysian society in earnest in doing their work including in a business field. In business, every company will experience profit and loss. When a company gains profit from the business reaches the rate set by the Islamic scholars in payment of zakat as a result of their sales, then Islam required that company to pay a specific zakat. This zakat is known as zakat on business inventory or zakat on trades.

In Malaysia, the zakat payment process will be divided according to their state. Each state will have its zakat center that was responsible for collecting zakat. In Negeri Sembilan, the Zakat Centre of Negeri Sembilan (PZNS) is the center of zakat entrusted to collect all types of zakat and is no exception to the zakat to be described as zakat on

business inventory in the state. PZNS also was established to improve and streamline the collection of zakat in Negeri Sembilan ([zakatns](#), 22 November 2018).

PNZS is one of the zakat centers that are constantly actively attracting traders to pay zakat on business inventory to ensure that the property and sustenance they are seeking are clean and undoubted. News issued by the official portal of the PZNS announced that the PZNS had received the zakat award of 2017 as the best zakat innovation category ([zakatns](#), 22 November 2018). However, it comes to mind that, although they can manage to attract the traders, are there still a few issues and challenges faced by this zakat center of the state to attract traders in paying zakat?

ZAKAT ON BUSINESS INVENTORY IN ISLAM

Business inventory, known as *Uruḍ al-tijāriyyah* in fiqh Islam. It means any commodities obtained for sale to gain the profit, except liquid monetary assets. This definition includes machinery, furniture, clothing, foodstuffs, ornaments, jewelry, livestock, plants, land, buildings, and others. Some jurists or scholars define it as *Uruḍ al-tijāriyyah* as anything that one buys to sell for profit. A Muslim who owns business inventory equal to niṣāb of money or more at the end of a year must pay its due zakat at the rate of two and a half percent (2.5%). This type of zakat is levied on the principal and increments accruing above the principal. (Al-Qaradawi, 2011)

Zakat of business inventory is an obligatory which derived from business property whether based on manufacturing, services, mining, fisheries, shipping, supply, and so on whether in the form of private business, the partnership of a Muslim or non-Muslim, the business of all types of companies, stocks and so on (Nasrul Hisyam & Mohd Azli, 2012).

Ibn Rushd mentions that trade assets are wealth intended for growth, like the other three forms of wealth that are unanimously considered zakatable: agricultural products, livestock, and gold and silver. Thus, the analogy is clear and fitting. As for the reasoning that supports this premise, trade assets are like monetary assets. They are exchangeable, valued, and readied for investment and growth. If zakat were not to be imposed on trade assets, rich people would always keep their wealth in the form of merchandise and inventory and avoid keeping cash, to escape the payment of zakat. It is natural that businessmen or trader little cash, since most business transactions now take place through credit, and drafts (Al-Qaradawi, 2011).

Conditions Of Zakat on Business Inventory According to Lembaga Zakat Selangor

a) Islam

It is obligator Muslims. For businesses with mixed ownership between non-Muslims and Muslims, only the share of the ownership of the Muslim is subject to zakat on business inventory.

It is narrated on the authority of Abdullah son of Umar RA that the Prophet SAW said:

(The superstructure of) al-Islam is raised on five (pillars), the oneness of Allah, the establishment of prayer, payment of zakat, the fast of Ramadan, Pilgrimage (to Mecca). A person said (to Abdullah b. ‘Umar the narrator): Which of the two precedes the other- Pilgrimage or the fasts of Ramadan? Upon this, he (the narrator) replied: No (it is not the Pilgrimage first) but the fasts of Ramaḍān precede the Pilgrimage. (Hadith. Muslim, Book of Faith, Juz 1:#5)

It is narrated on the authority of Abu Huraira RA that the Messenger of Allah SAW said:

Ask me (about matters pertaining to but they (the Companions of the Holy Prophet) were too much overawed out of profound respect for him to ask him (anything). In the meanwhile, a man came there, and sat near his knees and said: Messenger of Allah, what Islam is? -to which he (the Holy Prophet) replied: You must not associate anything with Allah, and establish prayer, pay the poor-rate (Zakat) and observe (the fasts) of Ramadan. He said: You (have) told the truth. (Hadith. Muslim, Book of Faith, Juz 1:#1).

b) Merdeka (*hurīyyāh*)

Slaves are not subject to zakat on business inventory. This is because they have no right and power over the property. So zakat on business inventory is only applied to a free, independent, and own right to his business property. h SWT said in al-Quran about the slave of the surah Al- Mu’ minūn is precisely in verse 5-6:

And those who guard their profits, except their wives or their slaves; then indeed, dy in this ca, we are not (Al-Quran. Al- Mu’ minūn 23:5-6).

c) Fair property

Halal property is an important condition in zakat. This is because the possessive given will be handed over or reallocated to the required parties or asnāf and it must be from a lawful source and there is no doubt about it. Unlawful property as a result of selling pork or wine is strictly prohibited.

d) Simply niṣāb at the end of the haul

The niṣāb or zakat rate is only 2.5% (Lembaga Zakat Selangor, 2007). Calculated Niṣāb is the excess of the basic requirements used during the business. IbnRushdd in his book states that all the scholars agreed that traders require the obligation to pay gold, silver, animal, and merchandise every year (haul) as this has been imposed and practiced during the Caliphate of Abu Bakr, Umar, Usman and Ali RA among the companions of the Prophet SAW. Their belief in this point shows that (zakat spending annually) comes from a clear legal source.

A hadith narrated from Ali bin Abi Ṭhālib RA, the Prophet SAW said:

If you have two hundred dirhams and have passed one year, it is obligatory to issue zakat which is five dirhams. You have no obligation so you have twenty dinars and have passed one year, and you must pay a half-denarius. If more, then calculated based on its advantages and no zakat on the property until one year is passed (Hadith. Abu Dāwūd, Kitab al- Zakat, Juz 9:#1573).

e) Haul

The haul determined by syārah is one year. This calculation starts from the beginning of the business. Besides haul, in zakat there is niṣāb. Niṣāb zakat of business inventory according to the opinions of the scholars is equal to niṣāb of zakat of gold and silver, which is worth mithqal or twenty gold dinar or two hundred silver dirt (Al-Qardawi, 2011). Niṣāb of gold and silver zakat 200 dirhams explained by Prophet Muhammad SAW narrated by ‘Ali bin Abi Ṭhālib RA earlier.

f) Property must be productive (*al- namā* ’)

Based on the description of the scholars based on the al-quran above Qurane scholars believe that the property must have the opportunity or potential to grow and be able to provide income and profit to the seller. This is as described previously. It is considered by the agricultural zakat that the growing property is obliged to pay zakat (Lembaga Zakat Selangor, 2007). Abu Ubaid said:

“The money of traders, but for the growth, and asked for credit, it is in this case similar to the livestock”. (Yusuf al-Qardawi, 2011).

g) Perfect ownership (*al-milk al-tām*)

This requirement is required for a trader to be obligated to pay Zakat. A dealer must have the right to reward, sell, rent, and manage the business goods (Lembaga Zakat Selangor, 2007).

h) Business intention

The two main elements to determine the obligation of zakat are the intentions and practice of a business. If a trader intends to profit and at the same time there is a sale and purchase in the business, the scholars view that the business is obliged to pay zakat (Lembaga Zakat Selangor, 2007).

i) Resources Business assets including donations will be obligatory to zakat

The source of business property taken from community donations, or the public will also be charged zakat. It is not obligatory to zakat until the property is traded (Jawatankuasa Kemajuan Islam Malaysia, 2001).

j) Business property is not taken for own use

If the business property is used for his own or his dependents and if the niṣāb deficiency is in this case this condition results in a cut-off. This is an agreed opinion except for the Hanafi scholars (Lembaga Zakat Selangor, 2007).

Matters related to business

a) Fixed assets / Fixed assets

This property is not subject to zakat. Fixed property is a property that benefits in the long run, and it is not for trading. It is categorized into two parts which are productive and non-productive. These properties are not subject to zakat as it is not a business item but is used for property development. Nevertheless, the proceeds derived from a rental, or a productive fixed asset will be included in the assessment of zakat.

b) Non-current asset

Certificates of shares in other companies, shares, bonuses and marketable securities will be credited with fixed assets if not intended for business. This means that the purchase is for capital gain for production or investment purposes. If it is productive, then it will be charged with zakat.

c) Current assets

This property is obligatory to be subjected to niṣāb and haul. Current assets are other property that is not from fixed assets as well as non-current assets/ non-property properties. It includes short-term investments. Examples include stocks of merchandise at the end of haul. These include merchandise paid by a company but still in transit / travel. These include business letters intended as merchandise, other company's debt to companies that do not have any payment or collection issues, money in the bank and so on.

d) Investment

Investments covering long-term investments such as current assets in transacted and untraded shares. Only investments that meet the current asset classification will be subject to zakat payment.

e) Short term liabilities / current liabilities

It is the company's debt to every purchase of business item that need to be settled such as supplier creditors and tax liabilities. The deductible liabilities of the computation of zakat property are liabilities during operations whereas financial liabilities such as capital lease, long-term loan debts that will mature within one year and also the dividend proposal cannot be deducted from the calculation.

f) Long term liabilities

It is the responsibility of the company to the party who gives debt to the company to extend business operations such as the purchase of fixed assets. It is a source of capital that will be subject to zakat.

g) Capital and shareholders' funds

It contains paid-up capital, revenue reserves and accumulated gains or losses. It is regarded as a source of business capital and is subject to the calculation of zakat. Through these basic things we find the following points: (Lembaga Zakat Selangor, 2007):

i. Property required zakat:

The business property obtained from the capital, the loan or from any source that the merchant can fully manage. The property must comply with some of the above-mentioned attributes that are expansive, to do business, and perfect ownership.

ii. Non-compulsory or zakat property:

Fixed assets and non-current assets: The assets or goods which are not for trading intentionally; Current assets are imperfect: Examples include funds provided from other parties for company use such as water service, electricity, telephone and fixed deposit purchases. This is because all of these do not fulfill the perfect ownership.

The Calculation Method of Zakat (Lembaga Zakat Selangor, 2007):

Computation of business zakat usually has two types of calculations, namely:

i. Growth methodology (growth model)

It takes into account the equity of the business entity owner, sources of financing and adjustments whether mixed or otherwise. It is better known as Capital mixed with profit.

$$\text{Owner equity} + \text{Long Term Liability} - \text{Fixed Assets} - \text{Non-Current Assets} \\ \pm \text{Adjustment} = \text{business property charged zakat.}$$

It takes into account the current assets position of the business, deducted with current business liabilities and made adjustments with some matters relating to zakat to be considered. It is made either by mixing items that have been identified to be added or made push.

$$\text{Current Price} - \text{Current Liability} \pm \text{Adjustment} = \text{Business price charged} \\ \text{zakat.}$$

The adjustment is involved with the calculation:

Denied from current assets: Things to make adjustments;

- a. Obligation of non-obligatory zakat must be issued as goods from illegal goods such as riba', illegal animals, gambling and so forth;
- b. Goods that do not belong well like water deposits, telephone deposits, electricity and so on;
- c. Goods or property such as stock of lupus, a significant depreciation can be deducted because it is no longer productive;
- d. The amount of dividend paid by zakat companies will be deducted from the calculation.

iii. Mixed to current assets:

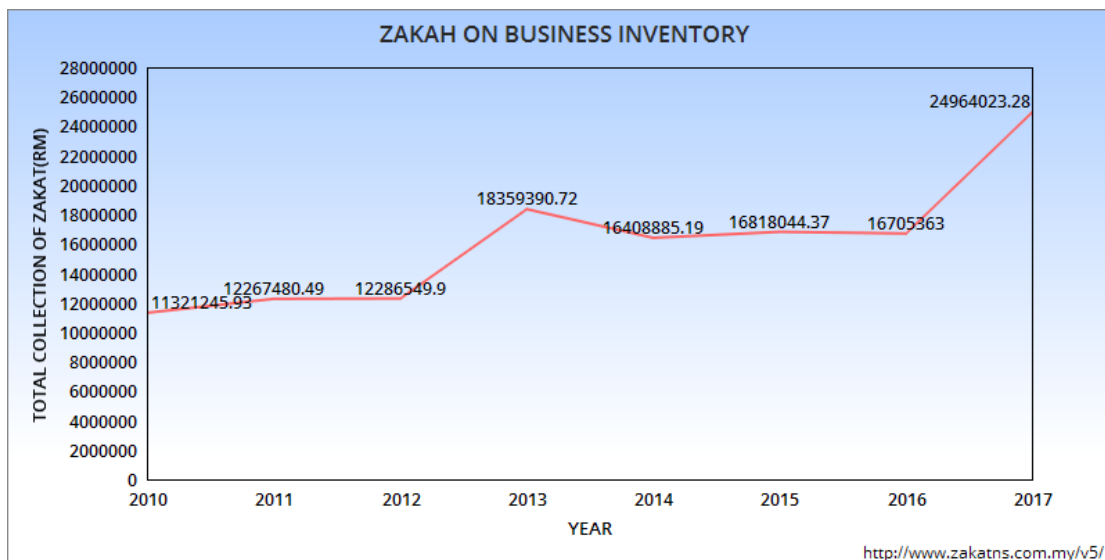
All donations, donations and charities made by the company's entity at the end of the haul should be reconstituted as the property channeled for charitable use will still be subject to zakat.

- iv. **Mixed to current liability:**
 - a. Dividend payable;
 - b. Overdraft;
 - c. Financial/ capital lease.
 - d.

PAYMENT INCREASING IN ZAKAT BUSINESS INVENTORY IN NEGERI SEMBILAN.

According to data available at the official portal of the Zakat Centre of Negeri Sembilan (Zakatns, 20 November 2018), it showed that payments of zakat on business inventory were at a satisfactory level.

Graph 1: Total collection of zakat on business inventory (RM) in years



Source: www.Zakatns.com.my

Schedule 1: Total collection of zakat on business inventory (RM) in years

Year	Total Payer	Total Collection on Zakat on Business Inventory (RM)
2010	No data	RM 11,321,245.93
2011	No data	RM 12,267,480.49
2012	No data	RM 12,286,549.90
2013	No data	RM 18,359,390.72
2014	1575	RM 16,408,885.19
2015	1603	RM 16,818,044.37
2016	1742	RM 16,705,363.00
2017	1779	RM 24,964,023.28

Source: www.Zakatns.com.my

This graph shows the total amount of business zakat collected by year in Negeri Sembilan. This graph starts in 2010 and expires in 2017. Overall, the amount of business zakat collections is increasing from year to year. The largest amount of collection is in 2017 with total collection of RM 24,964,023.28. Collection was consistently above RM 12,000,000.00 per month, and was increasing sharply to a peak of RM 18,000,000.00 in 2013. However, for the next three years, collection declined steadily, reaching RM 16,000,000.00 in 2014 to 2016. There are a slightly increase from RM 16,408,885.19 to RM 16,818,044.37 in 2014 to 2015 but declined again in 2016 became RM 16,705,363.00. Then, the best of the year is that in the next year, the collection recovered and rising sharply to a peak of RM 24,964,023.28 in 2017.

In 2014, there was a decline in the amount of business zakat collection to 2016. But, in 2017, the graph rising sharply at that time. This rising has a several factors that contributed on that rise, which are:

- i. Zakat Centre of Negeri Sembilan holds a "Kempen Penyaluran Semula 3/8". Zakat center will return 3/8 of the zakat paid by that company which exceeds 50 thousand to the company to be distributed to the respective *asnaf* which they feel fit to their opinion. Through this development, it is concluded that the development of zakat on business inventory in Negeri Sembilan is still at a moderate level but still there is an increase and there is still a payer awareness especially multinational and national level companies such as PLUS, McDonalds and others. It also indirectly shows the increase level of Muslims in Malaysia from the point of individual faith and awareness of the obligation to pay Zakat.
- ii. PZNS plays an important role in raising public awareness of the obligation through the dakwah, campaigns, brochures, and social media. Among the activities are (zakat ns, 20 November 2018).

In 18 February 2015, Negeri Sembilan - PZNS Operation Division conducted zakat preaching to give a clear understanding to the public about zakat Fitrah in Negeri Sembilan. 'Operasi Ternak' was conducted in Kg. Permatang Pasir in Port Dickson where zakat employees had visited the farmer and presented info and methods of valuing zakat livestock.

24 February 2015, Kuala Pilah - The Zakat Info Counter (KIZ) was opened at Sekolah Menengah Sains Tunku Jaafar where the officer of the Zakat Centre Of Negeri Sembilan provided explanations and disclosures to teachers and school staff to estimate the income and property zakat others.

While in Seremban, "Ops Sampai" also continued to be served by Zakat Officers in two parks namely Taman Nusari Bayu 1 and Taman Nusari 2 from 11.00 am - 1.00 pm. The Zakat Centre of Negeri Sembilan Officer distributed zakat pamphlets by inserting them into the mailboxes of residential houses.

26 February 2015, Rembau - Operation called Operasi Tani was conducted around Kampung Pilin Rembau. Zakat Centre of Negeri Sembilan Officer visited several villagers who cultivated vegetables and traditional food manufacturing where the duty officer had provided information on the assessment method of zakat. At the same time, Operasi Ternak were also conducted at Kampung Pulau Mampat and Kampung Batu 2, Pedas. Zakat Centre of Negeri Sembilan Officer has visited several livestock entrepreneurs and made estimates of zakat in the village.

2 March 2015, Port Dickson - A courtesy assessment of property zakat was held at Kariah Mosque. Sawah Chuah, Port Dickson which was served by the Zakat Centre of Negeri Sembilan Officer who served on that day. Disclosure of the obligation to pay zakat of property and how to impose it on women's parishioners from 9am to 10am.

11 September 2015, Seremban - Activities distributing pamphlets on zakat named Ops Sampai by Zakat Officers by inserting them into the mailboxes of selected homes. This activity was carried out at Taman Rasah Jaya Phase 5, Seremban with hope through reading pamphlets, some people will be exposed to their obligations and blessings.

29 September 2015, Jempol - Zakat Officer of Zakat Centre of Negeri Sembilan has visited two schools namely SMK Dato Musa Al-Haj Jelebu and SK Palong 5 Bahau by opening the Zakat Info Counter. This counter has been opened from 10.00 am to 1.00 pm.

In 23 February 2016, Felda Palong Hall 10 - Zakat Centre of Negeri Sembilan had conducted a zakat lecture. This lecture was specifically for female pilgrims who attended *fardhu ain and takmir* classes. Women's pilgrims had been exposed to the knowledge of wisdom, law, assessment and technical knowledge related to zakat property.

24 February 2016, Ministry of Home Affairs (Film Censorship Division) - A briefing on zakat was held at the Ministry of Home Affairs (Film Censorship Division) where the briefing was touched on the method and how to estimate the zakat of wealth and wisdom.

8 March 2016 - Zakat Centre of Negeri Sembilan Officers continued to consistently carry zakat preach in two separate locations, the Zakat squad run "Ops Sampai" by distributing zakat leaflets from home to home in Port Dickson, Bagan Pinang Garden, Taman Intan Duyung and Taman Desa. While at the second location, the Zakat Info Counter was opened at Sekolah Kebangsaan Sungai Kelamah Gemas.

14 April 2016 - Zakat Centre of Negeri Sembilan had opened the zakat info counter on that day. Sek. Keb. Port Dickson had paid the zakat income through the Monthly Salary Zakat Deduction Scheme. In addition to preaching in Zakat, Zakat Officers also had a business zakat at Perkasa Seremban Bhd, Chembong Rembau to enable Zakat Centre of Negeri Sembilan Officer to provide clear information on services and also to respond question on business zakat proposed.

21 April 2016, Seremban 3 - Zakat Centre of Negeri Sembilan (PZNS) and Universiti Teknologi Mara had signed a Memorandum of Agreement (MoA) for smart cooperation in various fields.

31 May 2016, Kuala Pilah - A regular zakat assessment session was held at the Eira Melang Park, Kuala Pilah where the members of the parishioners were comprised of female pilgrims to receive exposure on knowledge of zakat property valuation from Zakat Officers and to obtain enlightenment and explanation on problems related to zakat and infaq.

This factor that has a positive impact can be seen in 2017 with a sharp increase from RM16,705,363.00 in 2016 to RM24,964,023.28 in 2017. These community-based programs enticed the hearts of traders to pay the business zakat which became an advantage to them. Another factor that led to the payment of business zakat in Negeri Sembilan was due to the business zakat payment method that facilitated traders and zakat payers. (zakat ns, 20 November 2018).

ISSUES AND CHALLENGES

Through the interview (Mohamad Idris Bin Ramli, 2018), there are some issues or challenges faced by the Zakat Center of Negeri Sembilan. The issue faced by PZNS is this which affects the zakat center in terms of collecting zakat on business inventory. Among the issues is:

i. Legislation and Regulation.

Registered merchants or traders are required to make tax assessments throughout the business. Although the traders have paid zakat before, they still need to make these estimates. This is because zakat and tax are two different categories. Zakat on business inventory is a payable payment by Muslim traders. While tax is the law in Malaysia.

If it fails to make the assessment, traders may be subject to legal action, even though they paid zakat on business inventory. The government has allowed an only business tax deduction of only 2.5% of the aggregate income.

The Chargeable Income Range set by the Inland Revenue Board (LDHN) in 2016 and 2017 are:

Schedule 2: Chargeable Income calculations in 2017

Chargeable Income (RM)	Calculations (RM)	Rate (RM)	Tax (RM)
RM0 - 5,000	First 2,500	0%	0
5,001 - 20,000	First 5,000		0
	Next 15,000	1%	150
20,001 - 35,000	First 20,000		150
	Next 15,000	5%	750
35,001 - 50,000	First 35,000		900
	Next 15,000	10%	1,500
50,001 - 70,000	First 50,000		2,400
	Next 20,000	16%	3,200
70,001 - 100,000	First 70,000		5,600
	Next 30,000	21%	6,300
100,001 - 250,000	First 100,000		11,900
	Next 150,000	24%	36,000
250,001 - 400,000	First 250,000		47,900
	Next 150,000	24.5%	36,750
400,001 - 600,000	First 400,000		84,650
	Next 200,000	25%	50,000
600,001 -	First 600,000		134,650
1,000,000	Next 400,000	26%	104,000
Exceeding	First 1,000,000		238,650
1,000,000	Next ringgit	28%	RM....

source:www.hasil.gov.my

Example of calculations (money, 12 December 2018):

Chargeable income: RM63,850

Schedule 3: Example of calculations

Income (RM)	Rate (RM)	Tax (RM)
First 5,000	0%	0
Next 15,000	1%	150
Next 15,000	5%	750
Next 15,000	10%	1500
Next 15,850	10%	3,200

Total chargeable income: 65,850	Total tax: 5,600
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Source:www.imoney.my

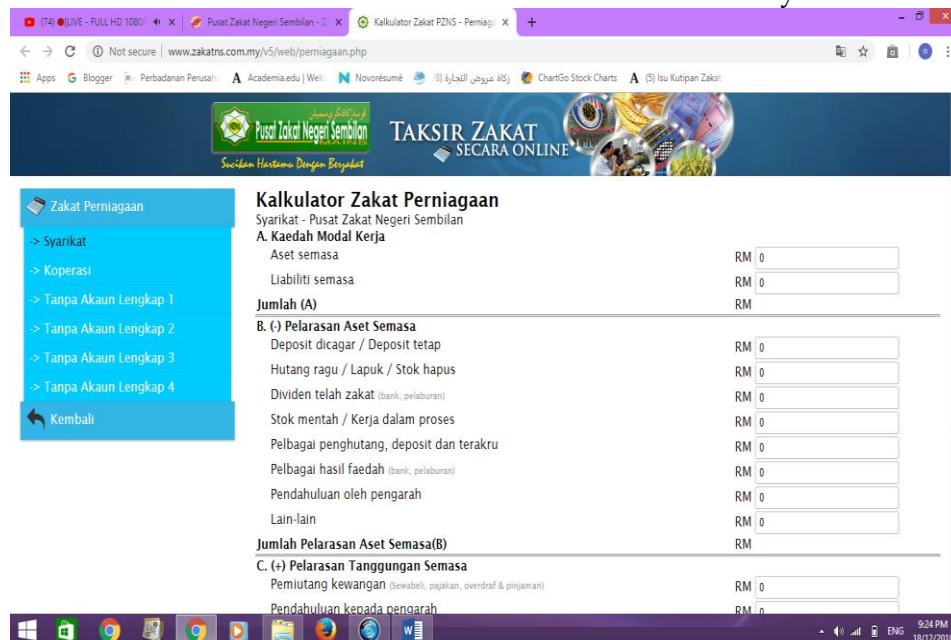
ii. The problems with a shareholders.

Malaysia is a country with a multiracial and religious community. Consequently, some of the issues faced by the zakat center is that there are shares of company not only owned by Muslim. Therefore Muslim jurist opined that the share in the company must be separated and only Muslim Owner will be subject to pay zakat and are included in the conditions of paying Zakat on business inventory (Lembaga Zakat Selangor, 2007). For example, a company has three shareholders which are one Muslim and two non-muslim. A Muslim contributing 20% of the profits. While non-Muslims account for 40% each. So, only 20% will be charged zakat.

iii. Difference in calculating the niṣāb of Zakat.

Another problem faced by Zakat Centre of Negeri Sembilan was the calculation of the niṣāb of zakat on business inventory in each state. This is because each state will use its count method of calculation in this matter, either from the calculation point or the type of calendars used. The niṣāb from all states in Malaysia is based on 2.5%. In Negeri Sembilan, PZNS are using Masīḥī calendar based on 2.5% to facilitate and ease the traders to calculate the zakat, This problem is more focused on small traders who do not have an account used when dealing. This calculation involves capital and so it requires a certain calculation. Example of calculation in PZNS:

Picture 1: Calculation of Zakat on Business inventory in PZNS



Picture 2: Calculation of Zakat on Business inventory in PZNS (Cont.)

Hutang ragu / Lapuk / Stok hapus	RM 0
Dividen telah zakat (bank, pelaburan)	RM 0
Stok mentah / Kerja dalam proses	RM 0
Pelbagai penghutang, deposit dan terakru	RM 0
Pelbagai hasil faedah (bank, pelaburan)	RM 0
Pendahuluan oleh pengarah	RM 0
Lain-lain	RM 0
Jumlah Pelarasan Aset Semasa(B)	RM
C. (+) Pelarasan Tanggungan Semasa	RM
Pemiutang kewangan (sewa, pinjaman, overdraf & pinjaman)	RM 0
Pendahuluan kepada pengarah	RM 0
Cukai tertunggak	RM 0
Pemiutang lain terakru (modal syer dikembalikan, deposit & lain-lain)	RM 0
Lain-lain	RM 0
Jumlah Pelarasan Tanggungan Semasa (C)	RM
D. Peratusan Saham Muslim (%)	(%) 100
E. Nisab Semasa	RM 14139.36
F. Jumlah Selepas Pelarasan (A-B+C) x D	RM 0
G. Zakat yang dikenakan (F >= E)	RM 0

source:www.Zakatns.com.my

CONCLUSION

These challenges always exist and faced not only by PZNS in the effort to collect zakat on business inventory but other center of zakat in each state. Every center of zakat has his own regulations and method of calculations. The earnestness of PZNS in attracting traders to pay zakat should be appreciated. PZNS has been trying very hard looking at various programs to solve these problems. Therefore, enhancement of PZNS, in this matter, will certainly lead to improvements to zakat institutions in Malaysia and become better in the future.

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