TABUNG BAITULMAL SARAWAK,
(MAJLIS ISLAM SARAWAK)
LOT 71, BANGUNAN BAITULMAL SARAWAK,
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TO: ALL CHIEF EDITORS
REF: PRESS CONFERENCE FOR URGENT RELEASE
VENUE: MAJMA’ TUANKU ABDUL HALIM MU’ADZAM SHAH
DATE: 23RD SEPTEMBER 2013 / 17TH ZULKAEDAH 1434H
TIME: 10:00 A.M.
DAY: MONDAY

RE: THE PRESS CONFERENCE AS A RESPONSE TO THE VARIOUS MEDIA REPORTS

Among the issues being highlighted are:

First Issue:

Various issues have been highlighted by Sarawak Report with regard to the distribution of the Zakat Fund, and its purpose on certain development projects. The general public wishes to know more (on this).

(Our)Explanations/Responses:
We are strongly denying all the accusations being highlighted by Sarawak Reports and their commenters. All their accusations are baseless and did not come from Majlis Islam Sarawak (MIS).

For your information, the Majlis Islam Sarawak (MIS) through the Tabung Baitulmal Sarawak (TBS) is strictly complying to the MIS Ordinance 2001 in exercising its duty and responsibility. In other words, all its course of actions are being controlled and monitored by rules and regulations set by MIS and the aforesaid MIS Ordinance.

Regarding the distribution of Zakat Funds and Baitulmal Funds, the (Islamic) Shari rules and regulations are being strictly followed, where every purpose is based on the Distribution Guidelines which is approved by the Sarawak Mufti (Head of Islamic Religion) Office.

Second Issue:

On matters regarding one’s obligations/commitments to contribute to TBS, the public has the right to know in detail the TBS accounts.

(Our)Explanations/Responses:

Monetary contribution from the Muslims, whether they are for the Zakat contribution, Sedekah (Compulsory Contribution), or Wakaf are all being managed following the regulations and standards set. All collections are acknowledged with receipts, prepared for the purposes of accounting and being audited by the General Accountant.
All elements of the above mentioned contribution are published in statements of accounts and will be audited by the Auditor General’s Office.

On matters concerning the distribution of the zakat fund, the process is in accordance with Zakat Distribution Guideline which has been approved by the State Mufti. There are various terms and conditions set on the applicants to identify who will be qualified to receive the assistance, and who will not. Furthermore, TBS have been awarded the ISO 9001:2000 certification for its (capability in handling) the zakat funds on the 24th October 2005 with the Quality Management System scope on the Management of Zakat Funds dan TBS have also being awarded the MS 9000:2005 certification with the Quality Management System scope in handling of Zakat Funds Management and the Management of Zakat Deduction from monthly salaries of contributors in 2010 with the aim of strengthening the distribution and monitoring the moneys.

Related information can be obtained from the Al-Ma circulations which are published every once in a few months.

**Third Issue**

It is understood that TBS is investing and involving itself in property development

**(Our)Explanations/Responses:**

MIS, as ‘approved’ by its ordinance is given the right to manage all its funds and (landed) properties. Therefore TBS is being trusted to manage this matter. One of the powers given to TBS (by MIS), similar to other organizations, is to develop and increase its assets. Meanwhile, on matters concerning obeying the Shari laws, all proposed projects are ‘screened’ by a special committee before they are approved for implementation, and the committee should follow all rules and regulations set by MIS, besides waiting for approval from the State’s Mufti and the Shari requirements.

**Fourth Issue**

The Baitulmal Funds should only be used for certain purposes

**(Our)Explanations/Responses:**

MIS through TBS is actually managing three sets of funds, and they are the Zakat Funds, Baitulmal Funds and The Wakaf Funds. All these are being accounted for separately. The Zakat Funds are mainly for distribution to 8 Asnaf (as required in the Koran (the At-Taubah Chapter, verse 60)). Baitulmal Funds are for the General Funds which can serve many purposes for the benefits of its ummah as stipulated in the MIS Ordinan. Whereby the Wakaf Funds may be used in accordance to the Siglah documentations as recited by the payers.

**Fifth Issue**

TBS should publish its Statement of Accounts for public scrutiny.

**(Our)Explanations/Responses:**

TBS is exercising its duty monitored by MIS (and its ordinance) as approved by the Dewan Undangan Negeri (state’s parliament). For further public information, TBS through its periodic publications the Al-
Mal Bulletins had documented all the required accounts and reports regarding the funds collections and distributions.

TBS was awarded the Excellence in Funds Management Award Based On Index Accountability in 2009 by the National Audit Dept Malaysia. And furthermore TBS was also ‘anointed’ the champion for Innovative Funds Management for Public Sector in 2010. Besides that TBS was also the recipient of the Clean Certificate for 12 consecutive years since 2000.

**Sixth Issue**

TBS is seen as an agency similar to the Inland Revenue Dept

**(Our)Explanations/Responses:**

MIS through its TBS cannot be ‘seen similar to’ other tax collecting-management agencies. Moneys collected by TBS are ‘required by’ the ordinance mainly for those who are exercising this obligations based on their religion, particularly for Muslim, such as Zakat, Sedekah and Wakaf.

**Seventh Issue**

Does a MIS project being financed by the Government?

**(Our)Explanations/Responses:**

No. It is being financed using the Wakaf and Baitulmal Funds. Whereby the Zakat Funds are to be distributed as the Asnaf Zakat only as required by the Koran (the At-Taubah Chapter, verse 60).

**Eighth Issue:**

Is there any provision in Islam which allows the Zakat moneys to be used to finance development projects?

**(Our)Explanations/Responses:**

According to a Working Paper entitled “Zakat Funds in Investments” by Sahibus Samahah Tuan Haji Kipli Bin Tuan Haji Yassin (Datu) on the 16th July 2012 during the Amil Forum, which states that:

1. All Zakat invested must follow the Sharaq laws
2. The decision to invest the Zakat Funds must be made by parties appointed by the government;
3. The managers and officials of the investments should be those who are capable, qualified and trusted;
4. Research must be carried out before any investment made using Zakat Funds. Priority of Zakat Funds should be used to assist the Asnaf (recipients);
5. Any ‘extra’ income being generated from the Zakat investment should be distributed to the Asnafs;
6. Zakat investment capital should be easily liquefied whenever required;
7. Investment of the Zakat Funds should be profitable and guaranteed (as risk-free);
8. Before any investment on any project made, the Mufti (of Sarawak) must be consulted beforehand.
Despite the need to invest the Zakat Funds, MIS through TBS, up to this date, have not used any of the Zakat moneys in property development. Any requirement to invest the funds should go through the Mufti’s Dept beforehand.

Ninth Issue

Is Majlis Islam Sarawak (MIS) through Tabung Baitulmal Sarawak (TBS) involved in the Baitul Makmul II project?

(Our) Explanations/Responses:

MIS through TBS does not have any relationship with the development of the Baitul Makmur II project. The said project is being handled by other agencies.

Prepared by

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