The Instances of Obligation (Wujūb) of Khums

Khums is obligatory on seven things:

1. **Surplus Income from Earnings and Gains**
2. **Halāl Property Mixed with Harām Property**
3. **Mined Products**
4. **Treasure Troves**
5. **Gemstones Obtained through Sea Diving**
6. **The Spoils of War**
7. **The land that the dhimmī kāfir buys from a Muslim.**

Surplus Income from Earnings and Gains

Whenever a Mukallaf earns property through economic activities such as trade, industry, agriculture, receiving salaries and wages, renting property, and the like, he must pay Khums on the amount exceeding his own and his family's living expenses at the end of the Khums year.

Expenditures beyond what is customary and necessary, in a way that is not considered part of one's living expenses (ma'ūnah), do not exempt one from paying Khums, so Khums must be paid for such expenses.

If a part of the income is temporarily inaccessible, such as through lending, Khums on it becomes obligatory at the end of the Khums year; however, payment can be delayed until it is received.

Khums on non-cash income is calculated based on its value at the end of the Khums year.

The term annual expenses includes, in addition to what one spends to earn income, all shar'ī expenses customary and appropriate to one's social status.

Capital

Capital is of two types:

1. **Merchandise, *Māl al-Tījārah*, or Variable Capital: This capital includes circulating cash, shop goods, factory products, agricultural products, etc.**

If this type of capital is acquired from income, its *Khums* must be paid based on its value at the market rate on the first due date of the *Khums* year after purchase. Thereafter, if its value increases in the subsequent *Khums* year, after deducting inflation, *Khums* must be paid on it if it has a buyer.

2. **Fixed Capital: This includes commercial property, agricultural land, production and business tools (even cooling and heating equipment), vehicles for transporting goods or passengers, and the like.**

If this type of capital is acquired from income, its *Khums* must be paid based on its value at the market rate on the first due date of the *Khums* year after purchase. After that, *Khums* will not be required if it is not sold. The increase in its value after the sale, after deducting inflation, is considered part of the income for the year of sale. If several years have passed since the purchase of the capital and *Khums* has not been paid on it, it must be paid, including inflation.

The discussion of living expenses (*ma'ūnah*)of business, which are considered as ruined (*talaf*) ones, such as advertising costs, wages of employees, utility bills, and the deduction of debts for these expenses and capital, is presented in the chapter on *Khums* Exemptions.

Working Capital

Q1: Is it obligatory to pay Khums on goods kept in the shop for sale?

A: If they have been purchased from business income, Khums is obligatory on them.

Q2: For a shopkeeper with retail sales, what basis should be used for pricing shop goods to calculate the fiscal year and working capital? Should it be the purchase price from wholesale, the selling price at the wholesale rate, the selling price at a minimal profit rate, or the selling price at the retail rate? Assuming that all types of items can be liquidated at the end of Khums year, such as selling a carton of biscuits by the carton at a lower price or individually at a higher price, what should be the criterion? Similarly, a washing machine can be priced at a wholesale cooperation rate (lower) or a standard retail rate (higher); which should be the criterion? Is it correct to say that retail or individual sales profit becomes part of next year's income, and now that it is the goods in his shop, should wholesale or cooperation prices be the criterion?

A: The criterion is the price at which it can be sold in bulk at the due date of the Khums year.

3. We, farmers, plant trees, and naturally, the wood of one-year-old trees is not very usable, and it becomes ready over a long period (at least several years).
Q1. In this case, should Khums be paid on the growth of trees over these years?
Q2: What is our duty when we sell the multi-year-old trees, assuming that we have paid or have not paid the Khums for previous years?

A1: If the initial capital is already subject to Khums, then in the first Khums year after planting the trees, Khums becomes obligatory on the amount considered to have [generated] profit and financial value after deducting inflation. This rule applies in subsequent years as well.
A2: After selling the trees, the resulting income, after deducting the principal capital subject to Khums and its inflation amount, is considered to have [profit for the year of sale. If the Khums on the [generated] profit related to the growth of the trees in previous years has already been paid, that amount and its inflation are also deducted. If it has not been paid, it must be paid immediately, considering the depreciation of money.

Capital Fixed

The Place of Business

:Q4 I bought a shop about twenty years ago when I did not have a *Khums* year. Is paying *Khums* on the amount paid for its purchase sufficient, or must *Khums* be paid at its current value?

A: You must pay *Khums* based on the value of the first *Khums* year after the purchase, along with the inflation adjustment.

Q5: What is the ruling on *Khums* for agricultural land bought twenty years ago at a low price, which has now increased in value about two thousand times, and *Khums* has not been paid for?

A: If the land was purchased with business income or salary, *Khums* on the value of the land at the end of the first *Khums* year after purchase must be calculated and paid along with its inflation adjustment.

Q6: I own a commercial property where I conduct business and have set a *Khums* year to fulfill my religious duty. However, I am indebted for purchasing my residential house. I hope you exempt me from paying *Khums* on that commercial property or allow me to pay it in long-term installments.

A: Paying *Khums* on commercial property is obligatory unless the remaining amount after paying *Khums* is insufficient to cover your living expenses that are appropriate to your customary status.

Business Tools

Q7: Does *Khums* apply to tools used in business?

A: Yes, business tools are considered capital. If they are purchased from income, *Khums* on their value at the first *Khums* year after purchase must be paid. After that, they are not subject to *Khums* until sold. Upon sale, *Khums* on the added value, after deducting inflation, is part of the income for the year of sale.

Q8: Do items in a place of business, such as desks, chairs, cupboards, paintings, air conditioners, etc., become liable to *Khums*?

A: *Khums* is due on them if they are purchased from income.

Q9: Suppose I have constructed a machine that I use for my business. To calculate *Khums* on the machine, which of the following should I consider: the construction cost, including the labor wages of the worker who built it, the construction cost excluding labor wages, or the market value of the machine?

A: The criterion is the saleable value at the first due date of the *Khums* year.

Purchasing Business Tools and Capital on Installments

If capital (tools and property) is bought in installments, *Khums* must be paid each *Khums* year on the amount for which installments have been paid, based on the market rate. For example, if a quarter of the installments has been paid, *Khums* must be paid on a quarter of the current market price at the end of *Khums* year.

Q10: If a taxi is bought in installments and half the installments are paid from income at the end of the *Khums* year, how should *Khums* on the taxi be calculated?

A: *Khums* must be paid on half the market value of the taxi at the end of the *Khums* year.

Q11: I am a retired teacher. I purchased an apartment a few years ago with half the price covered by retirement bonuses, which are not subject to *Khums*, and the other half via a bank loan to be paid over ten years. I intended to give the apartment to my children, and currently, my child resides there. Is *Khums* due on these installments?

A: If the apartment is gifted to your children or is considered part of your living expenses (*ma'ūnah*), the loan installments for purchasing the apartment are not subject to *Khums*. However, if the apartment is not gifted to the children and is not part of your living expenses (*ma'ūnah*), *Khums* must be paid each *Khums* year on half the value of the apartment based on the proportion of installments paid.

Q12: Sheep were bought with a loan for business, and the income is used to pay the installments; how should *Khums* be calculated?

A: *Khums* must be paid each *Khums* year based on the value of the sheep and the proportion of installments paid.

The Capital Exempt from *Khums*

If the capital is such that paying *Khums* on it would leave an insufficient amount to cover living expenses (*ma'ūnah*) or if it is uncertain whether it would suffice, *Khums* on it is not obligatory, even if the *Mukallaf* can pay it in installments.

Q13: Is *Khums* obligatory on the principal capital?

A: If the principal capital is derived from income, it is subject to *Khums*, and if paying *Khums* on it leaves an insufficient amount to cover living expenses (*ma'ūnah*) in line with one's customary and social status, in this case, paying *Khums* is exempt.

Q14: If the capital is such that paying *Khums* on it would not suffice to cover living expenses (*ma'ūnah*), it is exempt from *Khums*. Does this exemption also apply in the following cases?

a. It is uncertain whether the remaining capital would suffice or not.

b. The *Mukallaf* can pay the *Khums* in installments on the capital.

A: In both cases, *Khums* is not obligatory.

Q15: After many years of effort, I managed to buy a truck, which I use for work now. However, I cannot pay the *Khums* due on it. Due to existing regulations, I am now compelled to replace it with a newer model, which requires additional financial investment. Considering that the truck's income barely suffices to cover my living expenses (*ma'ūnah*), loan repayments, and other obligations, and I cannot pay the *Khums*, is the payment of *Khums* on this vehicle still obligatory for me?

A: If paying *Khums* on the truck's value would prevent you from buying another truck that would suffice to cover your living expenses (*ma'ūnah*), its *Khums* is not obligatory.

Q16: I own a house with installment loans and a commercial property where I conduct my business. I have set a *Khums* year for myself to fulfill my religious obligation. I hope you exempt me from paying *Khums* on the house, but I can pay *Khums* on the commercial property in installments.

A: The house in which you reside is exempt from *Khums*. However, paying *Khums* on the commercial property is obligatory unless doing so prevents you from covering your living expenses (*ma'ūnah*) in a manner consistent with your customary status.

[Inflation and] Increase in the Price of Goods

Q17: Does the increase in the price of goods due to inflation count as profit?

A: If the price increase is only due to inflation—meaning the value of money has decreased, and all goods are traded at higher prices—this does not constitute an actual price appreciation. Therefore, the rulings of *Khums* do not apply to it.

Deducting Inflation

Generally speaking, when repaying debts, creditors are entitled to demand compensation for the reduced value of money due to inflation, except in specific cases, such as house mortgages, where the implicit understanding might be that no adjustment for inflation will be made.

Q18: I work as a property developer and pay *Khums*. When I purchase land, construct a building, and sell it, the proceeds are divided into three parts: the original investment (which has already been subject to *Khums*), the portion representing inflation, and the profit. How should *Khums* be calculated? Does it apply only to the profit, excluding the original investment and inflation?

A: You should deduct the original construction cost—which has been subject to *Khums*—along with its inflation from the house's selling price. The remaining amount is the income and profit, and its *Khums* must be paid.

Bank Profits Considering Inflation

Q19: Given the existence of inflation, the profit banks pay to depositors essentially compensates for the decrease in the value of money. Does *Khums* apply to such profit?

A: If the deposit has been subject to *Khums* and the profit does not exceed the amount of inflation, it is not subject to *Khums*.

Profit and Added Value of *Khums*-Unpaid Property

Property that has already been subjected to *Khums* or acquired through non-*Khums*-liable means, such as gifts or inheritance, and has appreciated falls into one of the following categories:

a. If the property has been utilized asliving expenses (*mu'ūnah*), the added value is not subject to *Khums*.
b. If the property was purchased with the intention of preserving the value of money and not for trade, the added value before sale is not subject to *Khums*. However, after the sale, the amount exceeding inflation is considered part of the income for that year.
c. If the property is fixed capital (like business tools), the ruling is the same as in the second category.
d. If the property is working capital, the added value at the end of each *Khums* year, based on its market value after deducting inflation, is subject to *Khums*.

Q20: If a 12-square-meter rug, not intended for use as living expenses *(ma'ūnah)*, was purchased due to concerns about price increases at a suitable price and stored unused, and its *Khums* was paid at the end of the first *Khums* year, does the added value at the end of the second *Khums* year become subject to *Khums*?

A: In this case, where the rug was purchased to preserve the value of money after paying *Khums* in the first year, no further calculation is necessary. If it is sold, the profit, after deducting inflation, is considered part of the income for the year of sale.

Q21: If a wood-cutting machine was purchased with non-*Khums*-liable money, does the added value of the machine become subject to *Khums*?

A: As long as the machine is not sold, it is not subject to *Khums*. Upon sale, the added value, after deducting inflation, is considered income for the year of sale.

Q22: If I buy a carpet for 10,000 tomans with *Khums*-unpaid money to preserve the value of money and later sell it for 15,000 tomans, is the additional 5,000 tomans considered income and subject to *Khums*?

A: After deducting inflation, the value growth is considered income for the year of sale. If it is not used for living expenses (*ma'ūnah*) by the end of that year, paying *Khums* on it becomes obligatory.

Q23: If a person purchases a plot of land with *Khums*-unpaid money intending to sell it after an increase in value, is *Khums* obligatory at the end of the *Khums* year, even if the land is not yet sold? If obligatory, is it calculated based on the purchase price or the current market

value?

A: At the end of each *Khums* year, *Khums* on the added value must be calculated based on the market value after deducting inflation.

Q24: How is *Khums* calculated for agricultural land and its tools and equipment?

A: If they are purchased with income subject to *Khums*, the value of these assets must be assessed, and *Khums* must be paid at the end of the first *Khums* year after purchase. Thereafter, no *Khums* is required unless they are sold. Upon sale, the added value, after deducting inflation, is considered part of the income for the year of purchase.

Shares and Securities

If shares are purchased with earned income, either to preserve the value of money or to utilize their annual dividends, *Khums* is obligatory on their market value at the end of the first *Khums* year. Thereafter, as long as the shares are not sold, they are not subject to *Khums*. However, upon sale, the increase in value—after deducting inflation—will be considered part of the income for the year of sale. If this amount is not spent on living expenses (*ma'ūnah*) by the end of the *Khums* year, it becomes subject to *Khums*.

If shares are purchased with price appreciation and profit-making intention, *Khums* is obligatory on their market value at the end of the first *Khums* year. Subsequently, at the end of each *Khums* year, the increase in their value—after deducting the inflation rate—must be calculated, and *Khums* must be paid on it.

Q25: How is the *Khums* on shares and securities calculated? Consider a scenario where an individual owns shares in several companies at the end of their *Khums* year. Some of these shares may have their trading symbols suspended due to common issues such as auditing, making it uncertain when or at what price trading will resume. Additionally, some shares may lack buyers, requiring the individual to wait for a future date when the price drops enough to attract buyers, thereby enabling the calculation of the actual value of the shares.

A: If shares have been purchased using earned income or transferred as dividends, they are subject to *Khums*. The *Khums* must be calculated based on the value of the shares determined at the end of the *Khums* year.

Justice Shares

26. Considering the nature of *Justice Shares*, which were transferred through a deferred-sale contract with the installments being paid from the dividends generated by the shares, the following rulings apply:

Q1: Are *Justice Shares* subject to *Khums*? If so, when does it become obligatory?

Q2: For certain low-income groups (the first and second deciles), the government discounted the price of the shares and covered the price difference from its own resources. Are all the shares for these groups subject to *Khums* like others, or are they only subject to the extent that the installments were paid from the dividends?

Q3: What is the ruling regarding dividends accrued before the shares were released (after

1395 (HS)/2016), whether they were distributed to individuals or not?

A1: Once *the Justice Shares* are fully released and a portion becomes sellable, *Khums* is obligatory on the sellable portion. The *Khums* must be calculated based on its market value at the end of the first *Khums* year following its release.
A2: In such cases, only half of the shares are subject to *Khums*, as the other half is considered a gift (*hibah*) and thus not liable for *Khums*.
Additionally, for those who rely on these shares and their dividends for their living expenses to the extent that paying *Khums* would render the remaining dividends insufficient to meet their needs in accordance with their social status, the *Khums* is not obligatory on these shares.
A3: These dividends are considered part of the income for the year they become collectible, regardless of whether they are received. If a *Khums* year passes [without them being spent on living expenses (*ma'ūnah*), *Khums* must be paid on the amount upon receipt.

Depreciated Stocks in the Stock Market

Q27: Two years ago, I obtained a loan of five million tomans and used it to purchase stocks. However, after the purchase, the value of the stocks decreased to around three million tomans, and I have since fully repaid the loan installments. Should I pay *Khums* on five million tomans or three million?

A: You must pay the *Khums* on the value of the stocks at the end of your *Khums* year.

Receivables from Installment Sales

If someone sells goods or agricultural products on credit with the payment due after the *Khums* year, the cash price at the time of the transaction is considered part of the income for the year of the sale, and the profit from the installment sale is considered income for the year it is received.

Q28: My profession involves mobile sales (peddling). I sell various goods, such as fabrics and household items, in different neighborhoods for cash and installment. If I sell my goods, such as fabrics, on installment (credit), how is *Khums* calculated at the end of my *Khums* year?

A: The cash price of the goods at the time of the transaction is considered income for the year of sale, and the profit from the installment sale is considered income for the year it is received.

Q29: Three years ago, I opened a shop using the capital on which I had already paid *Khums*. My *Khums* year-end is the end of the solar year, on the eve of *Nowruz*. Thus far, every time my *Khums* year ends, I find that my entire capital is in customer debts. Meanwhile, I myself also owe a significant amount of money. I would be grateful if you could guide me regarding my duty in this matter.

A: If, at the end of your *Khums* year, your capital has not increased, paying *Khums* is not

obligatory upon you. If there is an increase in capital, any receivables that represent the profit from the credit sales of goods—provided they are collectible at the end of your *Khums* year—are subject to *Khums* after deducting the principal amount and inflation. If they are not collectible by the end of the year, they are considered part of the income for the year in which they are received. Additionally, if part of the receivables corresponds to interim-year profits that were converted into goods and later sold on credit, the *Khums* on that portion must be paid immediately upon receipt.

Receivables for Wages

Delayed salaries and overtime payments that are not collectible at the end of the *Khums* year are considered income for the year they are received. *Khums* is not obligatory if they are spent on living expenses (*ma'ūnah*) by the end of that year. However, if they are collectible by the end of the *Khums* year, *Khums* on such amounts is obligatory, even if they have not yet been received.

Q30: I have been working at a place that has owed me a sum of money for several years and has not yet paid it. When I receive this amount, will it be subject to *Khums* immediately, or should I pass it over one year before *Khums* becomes obligatory?

A: Amounts owed to you as wages that are not collectible by the end of your *Khums* year are considered income for the year they are received. If they are spent on living expenses (*ma'ūnah*) by the end of that year, they are not subject to *Khums*.

Q31: My *Khums* year begins on the first of Shahrivar (August 23). University and school exams are usually held in Ordibehesht and Khordad (May and June), and we typically receive overtime wages for the exam period six months later. Will you clarify whether the overtime wages for work completed before the end of the *Khums* year but received after the year's end are subject to *Khums*?

A: If such wages are not collectible by the end of the *Khums* year, they are considered income for the year they are received. *Khums* is not applicable if they are spent on living expenses (*ma'ūnah*) by the end of that year.

Lending

Lending one's income to individuals or banks does not exempt it from *Khums*.

Q32: If I lend my salary or income to someone and collect it after the *Khums* year ends, should I pay *Khums* on it upon receipt?

A: Yes, you should pay *Khums* on it immediately after receiving it.

Q33: Does money deposited in a bank as a *Qarḍ ḥasan* (interest-free loan) for two years become liable for *Khums*?

A: If it originates from your salary or income, it is subject to *Khums*, and you should pay its

***Khums*.**

Q34: I had lent a sum of money to someone, and its repayment was scheduled for after my khums year. Per your *fatwā*, I was to pay *Khums* upon receiving the money. However, through mutual agreement, the borrower returned the loan by giving me an item (e.g., a car for my living needs) instead. What is the ruling on the *Khums* of this? Should I pay it immediately or at a later time?

A: Paying the *Khums* immediately is obligatory.

Borrowing

Q35: If someone has a sum of money borrowed or received as a bank loan and a year has passed, is it subject to *Khums*?

A: *Khums* is not obligatory on borrowed or loaned money unless a portion remains unused for living expenses (*ma'ūnah*) or is turned into capital. *Khums* is obligatory on the excess if the unused amount exceeds the remaining unpaid loan installments covered by the year's income. For example, if you took a loan of 100 million and 50 million remains unused while 40 million in installments is still unpaid, you must pay *Khums* on the excess (10 million). This amounts to 2 million.

Capital in Domestic *Ribā*-Free Loan Funds or Specific Collectives

Q36: What is the obligation regarding *Khums* for members contributing to family *ribā*-free loan funds where members deposit money monthly and receive loans in turns?

A: The share contributed by each member from their income is liable for *Khums*. Each member should pay *Khums* on the amount they have saved in the fund by the end of their Khums year if it is accessible. If the funds are inaccessible at the end of the *Khums* year, *Khums* becomes obligatory whenever the saved amount is received, provided a year has passed on it.

Q37: What is the ruling on the profits generated from the capital of *ribā*-free loan funds? Who is responsible for paying its *Khums*?

A: If the funds' capital belongs to individual members, profits are proportionately owned by them, and each member is individually responsible for paying *Khums* on his share of the profits. However, if the capital is not owned by individuals (e.g. if it is derived from "a public charitable endowment (*al-waqf al-ʿāmm*)," etc.), profits are not subject to *Khums*.

Q38: A group of 20 individuals agrees to contribute a monthly sum (e.g., 20,000 tomans) into a fund, with one member chosen by drawing lots each month to receive the collected sum. After 20 months, the last person receives his share. If someone receives his portion in the 15th month, is *Khums* obligatory, or is it considered part of his living expenses (*ma'ūnah*)?

A: The money received from the fund can be divided into three parts:

- **The part equivalent to what was paid from the previous year's income and subject to *Khums* immediately upon receipt.**

- **The part equivalent to what was paid from the current year's income and not subject to *Khums* if spent on living expenses *(ma'ūnah)* before the end of the *Khums* year. *Khums* must be paid if it remains unused by the year's end.**
- **The part corresponding to future payments is considered a loan and not now subject to *Khums*.**

Long-Term Deposits

Q39: I am a bank employee. To start my job, I was required to deposit 500,000 tomans in the bank (of course, this money is kept in my name in a long-term savings account, and I receive its profit monthly). Is it obligatory to pay *Khums* on this money? It is to be noted that the money has been deposited with the bank for four years.

A: This deposit is considered capital and is subject to *Khums*. You must pay *Khums* on the current market value, including the adjustment for inflation.

Advance Wages

Q40: If wages are received in advance but all or part of the work has not yet been completed, is the received wage subject to *Khums*?

A: The portion of the wage corresponding to the completed work is subject to *Khums*.

Advance Payments Not Yet Used as Living Expenses *(Ma'ūnah)*

Q41: I made an advance payment for a travel tour and hotel booking, but the travel date has not yet arrived, and my *Khums* year has ended. Should these amounts be considered part of my living expenses *(ma'ūnah)*, or should I regard them as my earnings?

A: If registering for the tour at that time was considered necessary according to the common view, the payment is deemed part of your living expenses *(ma'ūnah)* for the year it was made, and is not subject to *Khums*.

Q42: I purchased an airline ticket for a trip to Mashhad, but my *Khums* year ended before the trip. Should I pay *Khums* for the ticket?

A: If purchasing the ticket in advance was deemed necessary for the planned travel date according to the common view, it is not subject to *Khums*.

Advance Payment for Vehicle Purchases

Q43: If an advance payment is made for the pre-sale of a vehicle, and a *Khums* year passes on that amount, is it subject to *Khums*?

A: If the transaction is structured as a partnership or investment (indicated by the addition of profit to the initial amount), both the principal amount and any profit (if collectible at the end of the *Khums* year) are subject to *Khums*. If the transaction is a straightforward purchase and the vehicle is for personal use and compatible to his soical status, the advance payment is not subject to *Khums*.

Q44: I made an advance payment to purchase a vehicle but could not pay the remaining amount at delivery. Therefore, I transferred my right to purchase the vehicle to my father, who bought it. After one year, my father can now return the initial payment to me. If I intend to use this amount as a rental deposit for a house with the landlord, is the payment of *Khums* on it obligatory separately?

A: If the amount was part of your annual income and a *Khums* year has passed on it, it is subject to *Khums*.

Receiving a Vehicle After the *Khums* Year

Q45: If I pay for a vehicle using income from the current year before the *Khums* year ends but take delivery of the vehicle after the *Khums* year, is the payment subject to *Khums*?

A: If the payment was made as part of a purchase and the vehicle is for personal use, it is not subject to *Khums*.

Money Set Aside for *Hajj*

Q46: To register for *Hajj*, a sum of money must be deposited in a bank account under the applicant's name. This money is invested, and the resulting profits are accumulated in the same account. When the applicant's turn for *Hajj* comes, the total amount is paid to the *Hajj* and Pilgrimage Organization. Is receiving the bank profits permissible, and are the deposited amount and the profits subject to *Khums*?

A: The bank profits, derived from one of the lawful (*sharʿī*) contracts, are permissible. However, if it originates from non-*Khums*-exempt income, the principal deposit is subject to *Khums*. The profits are not subject to *Khums* if paid directly to the *Hajj* and Pilgrimage Organization at the time of receipt to cover the *Hajj* expenses. Otherwise, if they are receivable, they are subject to *Khums*.

Q47: Does the money set aside for *Hajj* or *'Umrah* become subject to *Khums*?

A: If the money comes from annual income, it is subject to *Khums*.

Hajj Registration Receipt for a Deceased Person

Q48: A person deposited money into the *Hajj* and Pilgrimage Organization account for performing *mustaḥabb Hajj*. However, he passed away before undertaking the pilgrimage. What is the ruling on this money? Is it obligatory to use it for a *Hajj* by proxy on behalf of the deceased? Is *Khums* applicable to it?

A: The *Hajj* registration receipt, obtained in return for the deposited sum, is considered part of the deceased's estate based on its current market value.
If the deceased was not obligated to perform *Hajj* and did not leave a will instructing for *Hajj* to be performed on his behalf, using the money for a *Hajj* by proxy is not obligatory. If *Khums* on the amount has not been paid, it is obligatory to do so.

Retirement Pensions

Q49: Are those who receive retirement pensions required to pay *Khums* on their monthly salaries received throughout the year?

A: The pension payments received by a retiree are subject to *Khums*, just like the salaries earned during employment.

Surplus Living Expenses *(Ma'ūnah)*

Q50: How is the *Khums* on surplus household items not considered part of necessary living expenses (*ma'ūnah*) calculated?

A: Household items such as blankets, clothes, and utensils that were necessary and required to be available at home before the end of the *Khums* year are not subject to *Khums*, even if they have not been used. However, items that are not needed are subject to *Khums* based on their value at the end of the *Khums* year.

Q51: How is the *Khums* on surplus consumable household items (e.g., food supplies, detergents, cosmetics) calculated?

A: Daily consumable items such as rice, oil, and detergents that remain unused and have financial value at the end of the *Khums* year are subject to *Khums* based on their market value at that time.
It is to be noted that it is not subject to *khums* if an item has no market value or is unsuitable for trade (e.g., an opened can of tomato paste).

Gold Coins

Q52: If someone owns gold coins, are they liable for *Khums*?

A: If the coins were purchased using income or salary, their value at the end of the first *Khums* year is subject to *Khums*.

Q53: How is *Khums* calculated for gold coins when their prices are constantly changing?

A: The *Khums* is based on their market value at the end of the *Khums* year.

Q54: If gold coins (e.g., *Bahar Azadi* coins) are purchased with the intention of trading, and one decides to pay *Khums* by giving one-fifth of the coins themselves, intending that future increase in value will not be subject to *Khums*, is this approach valid?

A: In this scenario, where the gold coins are considered merchandise (*māl al-tījārah*),

paying *Khums* by giving coins does not exempt the annual value increase from *Khums*. The yearly increase in value, after deducting inflation, remains subject to *Khums*.

Storing or Depositing Gold

Q55: What is the ruling of *Khums* for someone who holds gold as an investment or deposits it in a bank?

A: If the gold was acquired using income or salary, paying *Khums* [on its value] is obligatory.

Sarqoflī (Key-Money, in Arabic *Badal al-Khuluw)*

Q56: A shop with *sarqoflī* (key money) rights was vacated at the landlord's request, and the court determined its value. The tenant was paid for the *sarqoflī*. Is the received amount subject to *Khums* in the following cases?

a. If the tenant paid *Khums* on the *sarqoflī* based on its market value during the first *Khums* year after renting and purchasing the *sarqoflī* rights.
b. If the tenant has not previously paid *Khums* on the *sarqoflī*.
Case a. After deducting the *Khums* paid in the first *Khums* year, and its inflation, the amount received is considered income for the year of receipt.
Case b.: The tenant must pay *Khums* on the value of the *sarqoflī* based on its market value during the first *Khums* year, taking the inflation rate into account. Any additional value is considered income for the year of receipt, and if it remains unspent on living expenses (*ma'ūnah*) by the end of that *Khums* year, it is subject to *Khums*.

Q57: I purchased *sarqoflī* rights for my place of business long ago using annual income. Is the value of the *sarqoflī* (key money) subject to *Khums*?

***Sarqoflī* (key money) is considered capital. Therefore, considering the inflation rate, its value at the end of the first Khums year has been subject to *Khums* and must be paid.**

Agricultural Products

Q58: How is *Khums* on agricultural products calculated?

A: Agricultural products that can be harvested before the end of the *Khums* year are subject to *Khums*, even if they have not been harvested or sold. If the harvest time has not arrived, but the crops are considered to have [generated] profit and they have financial value, they are also subject to *Khums*.

Q59: In the previous case, if no buyer is currently available for the agricultural products at the end of the *Khums* year, is it necessary to pay *Khums* immediately, or can it be delayed until the products are sold?

A: The obligatory precaution (*iḥtiyāṭ wājib*) is that *Khums* should be paid using other assets if possible.

Q60: If rice farmers sell part of their harvested crop to cover living expenses and keep the remaining portion for personal annual consumption, is the stored rice subject to *Khums*?

A: Any rice remaining unconsumed at the end of the *Khums* year is subject to *Khums*.

Q61: My mother deposited income from her inherited orchard into a bank account, earning monthly profits. While none of the profits remain, does the principal deposit require *Khums*?

A: The principal deposit is considered capital and is subject to *Khums*. However, if the amount is such that paying *Khums* would leave insufficient funds for living expenses, *Khums* is not obligatory.

Seeds and Fertilizers

Q62: If a farmer plants crops using seeds on which *Khums* was not paid, is *Khums* payable only on the harvested product, or must it also include the seeds?

A. *Khums* must be paid on both the seeds and their inflation-adjusted value.

Q63: A farmer purchases fertilizer using annual income and spreads it on farmland. In our area, fertilizer is customarily considered "used" only after one planting cycle when crops utilize it; the land's rental value includes the value of unused fertilizer spread on it. Does this unused fertilizer, which still holds property value, require Khums?

A. If the fertilizer is not considered "used" by common practice and was purchased using annual income, it is subject to *Khums*.

Income from Non-Muslims

Q64: Is *Khums* obligatory on wages earned by working in a non-Muslim country for non-Muslim employers?

A. If a *Khums* year passes and the wages are not spent on necessary living expenses (*ma'ūnah*), paying *Khums* on the remaining amount is obligatory.

Income from Religious Activities

Q65: If someone earns income through activities such as reciting elegies (*maddāḥī*), performing prayer, or reciting the Qur'an for hire, is it subject to *Khums*?

A. If the income is not spent on necessary living expenses (*ma'ūnah*), it is subject to *Khums*.

Refund of Deductions for Others' Loan Guarantees

Q66: I acted as a guarantor for someone's bank loan. After he paid a few installments, he stopped paying, and the remaining installments were deducted directly from my salary.
a. If the borrower reimburses me after my *Khums* year, considering the money was deducted directly from my salary and paid to the lending bank, is the reimbursed amount subject to *Khums*?

b. If I pay the remaining installments in full to avoid additional costs (such as profit or penalties) and the borrower reimburses me after my *Khums* year, is *Khums* applicable to the reimbursed amount?

In both cases, *Khums* on thereimbursed amounts, which have been deducted from your salary and returned after your *Khums* year, must be paid immediately upon receiving them.

Converting Income to Gold or Goods Before the *Khums* Year

Q67: Does this exempt the income from *Khums* if someone converts his income into goods or gold to sell them later for his necessary living expenses (*ma'ūnah*)?

This does not exempt the income from *Khums*, and he must pay its *Khums*.

Savings for Future Living Expenses (*Ma'ūnah*)

Q68: We require significant funds for construction projects, which are difficult to pay at once. Therefore, we established a construction fund where we deposit a portion of our income monthly. Once a sufficient amount accumulates, we use it for the project. Is this saved money subject to *Khums*?

A: If the deposited amounts are from annual income and remain under the ownership of each individual until they are spent on construction, *Khums* on the saved amount is obligatory at the end of the *Khums* year.

Bank-Frozen Funds

Q69: I took a loan from a bank, which, after disbursement, froze a portion of the loan in my account until the loan was fully repaid. This process usually takes over a year. When the frozen funds are released after this period, are they subject to *Khums*?

A: If the loan installments are repaid using your income or salary, the frozen amount is subject to *Khums*. Upon its release, *Khums* must be paid on the remaining portion for a full *Khums* year.

Legal (*Shar'ī*) Property Invested as Capital

Q70: In a cultural institute, a commercial unit was established to secure future financial needs, with its capital sourced from religious dues. Is it obligatory to pay *Khums* on the income from this capital? Is using the *Khums* from this income permissible for the benefit of the institute?

A: If using religious dues in the cultural institute is permissible and valid, and if the property of the institute does not belong to an individual or individuals, then it is not subject to *Khums*. However, if an individual owns the property, the *Khums* of the profits is obligatory on the owner, and using those profits requires the permission of the authority (*marja'*) in charge of *khums* (*walī amr of khums*).

A Rented House

Q71: Three brothers purchased a three-story house, residing on one floor and renting out the other two. Are the rented floors subject to *Khums*?

A: If the house has been purchased for personal residence and renting out the other floors has been out of necessity, it is not subject to *Khums*. However, if the house was purchased with the intent of renting, the value of the rented floors is subject to *Khums* at their market value at the end of the first *Khums* year after purchase.

Savings Accounts, Law of Extension, Future Provision Fund

Q72: Are the funds deducted from salaries under titles such as savings accounts, Law of Extension, Future Provision Fund, or similar schemes and paid out as a lump sum at retirement, subject to *Khums*?

A: If the deductions are made automatically without the individual's choice, they are considered income for the year they are received. They are subject to *Khums* if not spent on living expenses (*ma'ūnah*) by the end of that year. If the deductions are made with the individual's agreement and are retrievable, *Khums* must be paid on them at the end of each *Khums* year. If they are not collectible, *Khums* on amounts on which a *Khums* year has already passed must be paid immediately upon receipt. However, the amounts related to the current year are considered income for the year they are received.

Money Set Aside for Redress of Wrongs (Radd al-Maẓālim)

Q73: I have set aside some money for redress of wrongs *(radd al-maẓālim)*, but a year has passed, and I have not yet delivered it to the authority (*marja'*) in charge of *khums* (*walī amr of khums*). Is this money subject to *Khums*? If deposited in a bank, is the profit it earns also subject to *Khums*?

A: As long as the money remains in your possession, it is subject to *Khums*. The profits it generates are also considered your property and are subject to *Khums*.

Group Investment Partnerships and the Rulings of the *Khums*

***Khums* is only obligatory for individuals (not for legal entities, such as governments, institutions, or banks. Therefore, the legal entities' income without individual owners is not subject to *Khums*. Calculating and paying *Khums* on the respective income shares is obligatory if the income has one or more individual owners.**

Q74: Several individuals jointly established a private school and obtained a bank loan to cover expenses, and the partners should pay the loan installments. Is the initial capital and the loan amount subject to *Khums*? What is the ruling on the profits earned?

A: Each partner must pay *Khums* on his share of the principal capital, the loan installments, and the profits.

Q75: A group formed a company, but the members do not pay *Khums* on their shares of the principal capital or profits. As the chairperson of the company's board, can I pay their

***Khums* on their behalf without informing them?**

A: It is not permissible to dispose of others' property, even to pay their *Khums*, without their permission. However, you may pay their *Khums* from your own property, even without informing them, which will suffice on their behalf.

Remaining or Converted Silent Partnership *(Muḍārabah)* Funds

Q76: I invested part of my income in a silent partnership *(muḍārabah)* for one year, during which my *Khums* year-end occurs. Should I terminate the contract at the *Khums* year-end to pay *Khums* the amount?

A: It is not necessary to terminate the contract. However, *Khums* must be paid at the end of you *Khums* year, even if from other assets.

Q77: If funds deposited as a silent partnership *(muḍārabah)* with a bank or individual are converted into goods by the agent (*'āmil*) before the *Khums* year-end, is *Khums* liable for those funds?

A: *Khums* is obligatory on the funds at the end the *Khums* year, [regardless of their conversion into goods]..

Deducting Debt from Year-End Assets

Q78: A person takes out a *murābaha* (profit sale) loan of 50 million tomans to purchase goods, which he sells to himself on credit for 65 million tomans, payable over three years. The bank requires 10 million tomans to remain as a frozen deposit until the loan is fully repaid. This person buys molten gold for 50 million tomans and sells it to himself on credit for 65 million tomans over 36 months. He sells 10 million tomans' worth of gold and deposits the amount with the bank as collateral. Later, he sells the remaining gold for 60 million tomans. At the end of his *Khums* year, 70 million tomans from the sale are still available. The bank informs him that if he settles the loan in full, the remaining debt is 55 million tomans; otherwise, it totals 65 million tomans in installments. How should this person calculate *Khums*? Should he deduct 55 million, 65 million, or the principal 50 million loan?

A: Generally speaking, the debt associated with the remaining income at the end of the year can be deducted from the total income. For example, if he is required to repay 65 million tomans to the bank according to the contract terms, this amount should be deducted from the total 70 million tomans. This leaves a profit of 5 million tomans, which is subject to *Khums*.

Ḥalāl (Lawful) Mixed with Ḥarām (Unlawful) Property

Q79: What is the ruling if ḥarāmproperty becomes mixed with ḥalālproperty?

A: If he is sure that ḥarām property is mixed with his ḥalāl property but he does not know how much it is or who is the rightful owner, he can purify the property by paying Khums on the entire amount. After doing so, he may use the remaining property. No action is required when there is doubt about whether ḥarām property is mixed with his assets.

Q80: What if he knows the ḥarāmportion of his property exceeds one-fifth of the total amount?

A: The obligatory precaution (iḥtiyāṭ wājib) is that he must pay Khums along with the amount he confidently knows exceeds one-fifth to the a fully qualified jurist (al-ḥākim al-sharʿī) so that this amount can be used in cases where it is regarded as both Khums and charity (ṣadaqah).

Q81: If some of my income, which is subject to Khums, has become mixed with ḥarāmproperty, and I do not know how much it is or who the owner of the ḥarāmproperty is, how should Khums be calculated?

A: First, to make the mixed propety ḥalāl, Khums must be paid on the total amount, including both ḥalāl and ḥarām portions. For example, if the total is 100 million tomans, 20 million tomans must be paid as Khums to purify the property and make it permissible to use. After purifying the property, the Khums on the ḥalāl portion of the income can be calculated in one of two ways:
a. If the Khums of the certain amount (qadr mutayaqqan) of ḥalāl portion is less than the Khums of the remaining property (80 million tomans = 16 million tomans), pay the Khums on the the certain amount of ḥalāl portion.
b. If the khums of the certain amount (qadr mutayaqqan) of ḥalāl portion is equal to or greater than the Khums of the remaining property (minimum 16 million tomans), pay the Khums of the remaining property.

How to Making Property from Unlawful(Ḥarām) Capital Lawful (Ḥalāl)

Q82: What is the ruling for someone whose principal capital is entirely unlawful (ḥarām) and who wishes to make his property lawful (ḥalāl)?

A: If the owners of the unlawful (ḥarām) property are known, their consent must be sought. If the owners are unknown or inaccessible, but the amount of the unlawful (ḥarām) property is known, it is treated as property with an unknown owner (majhūl al-mālik). The amount must be given as charity to a sharʿī poor person on behalf of the principal owners, and the recommended precaution (al-iḥtiyāṭ al-mustaḥabb) is that permission should be obtained from a fully qualified jurist (al-ḥākim al-sharʿī).
If neither the amount of the unlawful (ḥarām) property nor its owners are known, Khums must be paid on the entirety of the unlawful (ḥarām) capital and any resulting profits to make it lawful (ḥalāl).

Mined Products

If something is extracted from a mine and the value of the extracted material, after deducting extraction and refinement costs, equals the price of 15 mithqāl (a unit of mass equal to 4.25 grams)of gold, Khums must be paid. If it is less, no Khums is obligatory.

The obligation applies whether the mine is underground or on the surface and whether it is located on a private estate or land without an owner.

If two or more people extract from a mine, after deducting extraction and refinement costs, each individual must pay Khums on his share, providing that this share meets the minimum amount liable for payment.

It is to be noted that when the conditions above are met, Khums on mined products must be paid immediately and is not connected to the individual's Khums year.

Q83: I have purchased shares in mining companies through the stock market. Are these shares as mined products subject to Khums?

A: It is not established that the shares of a mine have the same status as a mine; therefore, Khums does not apply to these shares as they are not considered a mine.

Treasure Troves

If someone discovers what is considered a treasure according to the common view and the value of the treasure equals 20 dīnārs of gold or 200 dirhams of silver, Khums must be paid immediately, regardless of the Khums year. However, specific laws may apply regarding found treasures, and if regulations exist, they must be followed.

If no specific regulations apply, the treasure belongs to the finder, who must pay Khums unless it is found on property acquired through legal means (e.g., purchase or gift (hibah)). In such cases, if the treasure might belong to a previous owner, the finder must attempt to trace the owner. If it does not belong to the immediate previous owner, it should be presented to the owner before them, continuing this process until no known owner is identified or ownership by a previous owner is no longer deemed probable. In such a case, the treasure becomes the finder's property, who must pay Khums.

Gemstones Obtained through Sea Diving

If a person dives into the sea and extracts gemstones such as pearls or coral—typically obtained by diving—Khums becomes obligatory if their value reaches 81 grams of gold or more after deducting the extraction costs. This ruling applies regardless of whether the extracted items are of one or multiple types or obtained in one session or over several closely spaced sessions. The obligatory precaution (iḥtiyāṭ wājib) is that large rivers such as the Nile, Euphrates, or Karun should also be considered equivalent to the sea for this ruling.

If gemstones are extracted from the water using tools without diving, and their value, after deducting costs, reaches eighteen nukhuds (3.456 grams), the obligatory precaution (iḥtiyāṭ wājib) is that Khums must be paid.

If gemstones naturally emerge from the water and are collected from the surface or the shore, they are not subject to Khums. However, if such collection is part of one’s professional activity, the gemstones are considered income from business and subject to business income rulings.

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Living Expenses (Ma’ūnah)

Living expenses (ma’ūnah) are divided into two categories:

Ma’ūnah for Livelihood and Living

Expenses related to one's sustenance and dependents are exempt from Khums.

Ma’ūnah are categorized into three types:

1. Tools and Items Necessary for [Daily] Living: These encompass various personal and dependent essentials. This category includes items like blankets, cushions, and utensils that may not be frequently used or even remain unused, but are kept for precautionary reasons, or to accommodate potential guests.

2. Consumable Items: Items that are used up during their application and are not kept afterward. This category includes products like food items, hygiene products, and similar goods.

3. Current Living Expenses: Recurring expenses such as utility bills (water, electricity, and gas), medical expenses, recreational activities, gifts, and charity, etc.

Category One: Tools and Items Necessary for [Daily] Living

Q84: I bought blankets, cushions, and utensils for possible use by guests, but no guests visited this year, and these items remained unused. Are these items subject to Khums?

A: In such case, where the items are non-consumable, the criterion for their exemption as living expenses (ma’ūnah) is their readiness for use when needed. If, at the time of purchase, these items were genuinely necessary and required to be available for potential use, they are exempt from Khums, even if they were not actually used during the year.

Q85: I bought a book that I have not yet used. Is Khums applicable to it?

A: If the book is necessary and compatible with your customary social standing, it is exempt from Khums.

Q86: I intended to purchase some necessary household items but could not find them due to a lack of availability. As the year-end for Khums arrived, I still had the funds set aside for these purchases that went unspent. Should I pay Khums on this amount?

A: Generally speaking, if the household items were rightfully necessary before the end of Khums year and you attempted to purchase them in a timely manner but you were unable to do so due to unforeseen circumstances, then Khums on these amounts is not obligatory, provided you proceed with the purchase without further delay.

Q87: I signed a contract to purchase a residential house, but the seller canceled the contract a few days before the end of my Khums year. Should I pay Khums on the amount I had allocated for the purchase?

A: If you acted promptly and without delay in purchasing the house, Khums is not obligatory.

Recreational Land or Orchard

Q88: I bought a plot of land for a family recreational orchard. Is it subject to Khums? If Khums is obligatory, does it also apply to the expenses incurred, such as fencing and tree planting?

A: If the orchard is within the bounds of your customary social status, it is exempt from Khums.

Q89: I purchased a plot of land with the intention of developing an orchard, but I have not yet started construction. If my Khums year arrives, will this land be subject to Khums? If so, how is the Khums calculated?

A: If the orchard is for personal use as a necessary place for rest and is not excessive for your customary social status, it is exempt from Khums.

Jewelry

Q90: If a woman purchases gold monthly from her income, according to her customary social status, is the gold subject to Khums?

A: If the gold is purchased for customary personal adornment and is within the bounds of her customary social status, it is not subject to Khums.

Animals

Q91: If someone keeps birds or an aquarium with fish in his home, are these subject to Khums, especially if they are expensive or ornamental?

A: If keeping such animals is not beyond one's customary social status, they are not subject to Khums.

Q92: Farmers often keep animals such as cows and sheep for their livelihood, benefiting from their produce (namāyāt munfaṣilah) [e.g., milk, wool, or fat] to cover living expenses. Are these animals or their produce subject to Khums?

A: If the number of animals does not exceed the farmer's need, they are not subject to Khums. However, any unused produce (namāyāt munfaṣilah)—such as milk, wool, or fat—that remains at the end of the Khums year is subject to Khums.

Collections

Q93: Are collectible items, such as coins, banknotes, stamps, or similar items, subject to Khums?

A: If collecting, keeping, and using these items is within one's customary social status, and they were not acquired or kept for trade, they are exempt from Khums.

Category Two: Consumable Items

The criterion for consumable items to be considered living expenses (ma'ūnah) or to be exempt from Khums is their customary use during the year.

A: Consumable items, such as food, hygiene products, and similar goods, used during the Khums year are not subject to Khums.

Remaining Consumable Items

Q94: What is the ruling on consumable items such as pens, notebooks, oil, soap, and similar items that remain unused at the end of the Khums year?

A: If the items can be bought in bulk and are not individually packaged (for example, grains, meat), Khums must be paid on the remaining quantity. However, if the items were purchased in packaged form and in amounts that correspond your need, then partially used packages are exempt from Khums.

Stationery

Q95: Is stationery subject to Khums?

A: If the stationery is within a person's customary social status and is considered necessary, it is not subject to Khums. However, any consumable stationery that remains unused at the end of the Khums year and has tradeable value is subject to Khums.

Surplus Medication

Q96: Are medications that remain unused by the end of the Khums year subject to Khums?

A: If the medication must be readily available for the patient's immediate use, or if purchasing a smaller quantity is not feasible, it is exempt from Khums.

Remaining Credit on SIM Cards and Internet Packages

Q97: Is Khums applicable to the remaining balance on phone cards or prepaid SIM cards?

A: If the credit was purchased in a customary amount necessary for usage and the remaining balance is not tradeable, it is not subject to Khums.

Category Three: Current Living Expenses

The criterion for exemption from Khums on current living expenses (ma'ūnah) is that they must be compatible with one's customary social status and not involve extravagance (isrāf).

Social Status in Gift-Giving

A gift is considered part of living expenses (ma'ūnah) if it does not exceed the giver's social status. However, if the gift exceeds the giver's customary social status, Khums must be paid on the portion that exceeds this limit.

Receipt and Delivery of Gifts and Souvenirs

If a gift or souvenir is not delivered before the end of the Khums year, it is not considered living expenses (ma'ūnah), and Khums must be paid for it.

Q98: During pilgrimage trips, we sometimes purchase clothes or items as souvenirs, but we may not have the opportunity to gift them, so we keep them for future occasions. What is the Khums ruling on such items?

A: You must pay Khums on the items kept at the end of the Khums year.

Returning a Gift

Q98: If a gift from annual income is later returned or revoked after the Khums year, Khums must be paid immediately upon receiving the returned gift.

Gifted Property without Paid Khums

If the property on which Khums has not been paid is given as a gift, it is permissible to receive it; however, the obligation to pay Khums remains on the giver.

Q99: If someone donates the property on which Khums has not been paid to a mosque, is it permissible for the mosque to accept it?

A: It is permissible for the mosque to accept the donation, but the obligation to pay Khums rests with the donor.

Gifts to Spouse and Children

Q100: Does the gold purchased by a husband for his wife become subject to Khums?

A: If the gold is customary and appropriate to the wife's social status, it is considered part of the year's living expenses (ma'ūnah) and is exempt from Khums.

Q101: Is it permissible to gift property to his spouse before the Khums year ends, knowing she will save it for future house purchases or necessary expenses?

A: If the gift is real and is appropriate to the giver's social status, it is permissible to give it.

Q102: What is the ruling regarding a couple who gift their annual profits to each other before the Khums year ends to avoid paying Khums on their property?

A: The false gifts do not exempt the property from obligatory Khums.

Q103: My Khums year ends at the end of December. Does the salary I receive in late December require Khums? If I gift my spouse any remaining amount from that salary, does it become subject to Khums?

A: Any salary received or receivable before the end of your Khums year is subject to Khums on the portion that exceeds that year's living expenses (ma'ūnah). However, if you

gift part of your salary to your spouse or someone else, and the gift is not false and is appropriate to your customary social status, it is not subject to Khums.

Q104: If money is set aside for a child and gifted to them as a hibah, does the gifted money become subject to Khums?

A: If the gifting is not false, the money is not subject to Khums.

Q105: A person purchases an expensive property using property that is not exempt from Khums obligations, invests significantly in its renovation, and then gifts it to his minor child, officially transferring ownership. What is the Khums ruling in this case?

A: If the gifting is appropriate to the giver's social status and the purchase and gifting occurred before the Khums year-end, it is exempt from Khums.

Q106: I gifted a residential flat to my daughter as a wedding present. Is it subject to Khums?

A: If the gift is customarily appropriate to your social status and the Khums year has not passed, paying Khums is not obligatory.

Charity and Religious Dues

Q107: If a person spends money on charitable causes, such as supporting schools or helping victims of natural disasters (e.g., floods), is it considered part of the year's living expenses (ma'ūnah)? Is it exempt from Khums?

A: [Such expenditures are considered part of the year's living expenses (ma'ūnah) and] are not subject to Khums.

Extravagance, [Prohibited Items], and Non-Essential Expenses

An item that is not needed, is considered extravagant or wasteful, or is used to purchase prohibited goods—such as a gold ring for men, musical instruments for frivolous purposes, gambling tools, and the like—is not regarded as living expenses (ma'ūnah) and is subject to Khums.

Q108: I wore a gold necklace for several years due to ignorance regarding the prohibition of gold for men. Now that I know it is impermissible, is this gold subject to Khums?

A: If the gold was purchased with income from the year, you must pay Khums on its value at the end of the first Khums year, taking into account the depreciation of currency value.

Q109: For my son's wedding, due to his insistence and the expectations of my relatives, I organized an extravagant ceremony in one of the most expensive venues in the city, including lavish catering. If these expenses involved extravagance, should I pay Khums on them?

A: Extravagant expenses and those exceeding your customary social status are not considered part of living expenses (ma'ūnah). You must pay Khums on the amount spent beyond those limits.

Excessive Savings beyond the Customary Amount in Living Expenses

If someone imposes an undue hardship on himself or his family by spending less than what is customary and appropriate to his social status, he should not consider the saved amount as part of living expenses (ma'ūnah). Therefore, he must pay Khums on these saved amounts.

Q110: To save money, I reduced my family's living expenses, which resulted in a certain amount of savings. However, I have heard that even such savings may still be subject to Khums. Considering my family's hardship, can a part of this money be exempt from Khums?

A: Savings made by reducing living expenses (ma'ūnah) are not exempt from Khums.

Spending Income to Avoid Khums

Q111: If someone spends their income to avoid paying Khums, does that exempt them from Khums?

A: If the expenses are customary and not extravagant, they are considered part of living expenses (ma'ūnah), and no Khums is required on them.

Non-Use of Multi-Piece Items

Q112: If some pieces of a 40-piece set of dishes are used, does this suffice to exempt the entire set from Khums?

A: The criterion for exempting household items from Khums is whether they are deemed necessary according to one's customary social status, even if they are not used throughout the year.

Q113: I had to buy an entire set to meet my household needs, even though some pieces were unnecessary. What is the ruling on Khums for the unused items? And what if buying the complete set was not necessary?

A: If purchasing the complete set is customary and necessary, it is exempt from Khums.

Q114: Does that exempt the entire set from Khums if I use one volume of a multi-volume book set (such as Wasā'il al-Shīʿa)? Or must I read at least one page from each volume to avoid Khums?

A: If the entire set is necessary, or if purchasing the required volume depends on buying the full set, the set is exempt from Khums. Otherwise, Khums must be paid on the volumes not currently needed. Simply reading one page from each volume does not exempt the set from Khums.

Gradual Purchase of Future Necessities of Life

If acquiring future necessities of life is customary and their quantity is compatible with one's social status, they are considered living expenses (ma'ūnah) and exempt from Khums.

Q115: Does the dowry I gradually prepare for my daughter and the items my son must provide for his bride before marriage become subject to Khums?

A: If such preparation is customary, it is exempt from Khums.

Q116: Sometimes, household items, such as refrigerators, are sold to us at a price below market value. These items will be needed in the future after we get married. Since purchasing them later would cost significantly more, are they subject to Khums if they are currently unused?

A: If these items were purchased with annual income but were not needed in the year of purchase, Khums must be paid on their value at the end of the Khums year. However, if buying them in advance is customary and their quantity is compatible with your social station, they are considered living expenses (ma'ūnah) and exempt from Khums.

Q117: If someone uses his annual income to purchase land and begins constructing a house, but the Khums year arrives before the construction is completed, are the incomplete house and purchased materials subject to Khums?

A: They are not subject to Khums.

Q118: Someone owns a plot of land that is compatible with his social station and necessary for building a home for their family. However, he is unable to construct the house within the Khums year or complete it in a single year. Is Khums obligatory on the land?

A: The land is not subject to Khums.

Q119: I purchased the rights to a plot of land from a cooperative member for 100 million tomans, of which I borrowed 40 million tomans. I have not yet received the land, and my Khums year has arrived. Is this amount subject to Khums?

A: If the land was purchased for constructing a necessary residence, it is exempt from Khums. Additionally, the borrowed amount is not subject to Khums.

House [or Land] for Children's Future

If a father purchases a house or a plot of land for his children's future, and it is customary for him to provide housing, and he cannot do so when the need arises, the property is exempt from Khums.

Saving Income for Dowry

Q120: Does saving income for necessary expenses, such as living expenses (ma'ūnah), dowry, medical treatment, etc., fall under Khums?

A: In general, savings are subject to Khums. However, if you set aside a certain amount for unforeseen needs and ensure that the remaining funds [after paying Khums] are insufficient to alleviate your concern, the saved amount is exempt from Khums.

Q121: I have opened a bank account for my nine-year-old daughter, into which I deposit a small monthly amount with the intention of using it for her dowry. Is this money subject to Khums?

A: If the money is deposited as a gift (hibah) to her, it is not subject to Khums. However, if it is not genuinely gifted and the account is merely in her name, it is subject to Khums.

Advance Payment for Purchasing Necessities of Life

Q122: I paid 100,000 tomans to an institution to receive a plot of residential land in the future, and a year has passed since the payment. Some of this amount came from my income, while the rest was borrowed. I have also repaid part of the borrowed amount. Is this payment subject to Khums? If so, how much would it be?

A: If acquiring the land for constructing a necessary residence depends on making this advance payment, the amount paid is exempt from Khums.

Purchasing Necessities of Life on Installments

Q123: I bought my house with a loan and paid monthly installments. Is the house subject to Khums?

A: Generally speaking, if living expenses (ma'ūnah) are financed through loans or borrowing, the installments paid from annual income are not subject to Khums.

Purchasing a Year's Necessities of Life

Q124: Every March, a fair is held where various items, including winter and summer clothes for my children, are sold at reasonable prices. We buy supplies for the entire year at this fair. Are these purchases subject to Khums?

A: Items required before the Khums year-end are exempt from Khums. However, items intended for use after the Khums year-end are subject to Khums.

Purchasing Necessities of Life with Khums-Paid Money

Q125: If I pay Khums on my income as soon as I receive it and then use it to purchase necessities, are these items subject to Khums if a year passes?

A: Such items are not subject to Khums.

Purchasing Necessities of Life with Khums-Unpaid Money

Q126: If I purchase necessities for living, such as a house, car, carpet, etc., with earnings subject to Khums, is the Khums on the purchase money waived due to necessities of life?

A: You must pay Khums on the purchase price and its inflation.

Q127: Is a house constructed with property on which Khums has not been paid subject to Khums? If so, is it calculated based on the current market value or the construction cost at

that time?

A: If the house was constructed using income on which a Khums year has passed, Khums must be paid at the due date of the first Khums year, taking inflation into account.

Items No Longer Considered Necessities of Life

When the necessities for life are no longer needed or used after some time, they are not subject to Khums if this occurs after the end of the Khums year. However, if these necessities become unnecessary before the end of the first Khums year, Khums must be paid on their value at that year-end.

Q128: I purchased a new carpet for my home and set aside my old one, which I had used for several years. Does the old carpet require Khums, or is it exempt?

A: The old carpet, previously used as part of your household necessities (ma’ūnah), does not require Khums. Similarly, the new one is exempt from Khums if it is genuinely needed.

Q129: If someone purchases an item with mid-year income for his household needs but no longer requires it before the Khums year-end, must he pay its Khums?

A: In such a case, it is obligatory to pay Khums.

A Necessary Residential House Rented Out

Q130: If someone acquires a necessary residential house but cannot reside in it for some reason, rents it out temporarily, and later decides to sell it, what is the ruling regarding its Khums if a Khums year has passed during this time?

A: Living in a house is not a condition to be considered living expenses (ma’ūnah). Therefore, if the house is necessary and appropriate to the owner's social status, it is exempt from Khums. However, its rental income is considered part of the year’s income, and if it is not used for living expenses (ma’ūnah) by year-end, it is subject to Khums.

Converting Living Expenses (Ma’ūnah) to Another Living Expenses (Ma’ūnah)

Converting one ma’ūnah into another ma’ūnah does not make it subject to Khums.

Converting a Dilapidated House into Apartment Units

Q131: If someone exchanges his dilapidatedhouse, which is part of the household necessities (ma’ūnah), for the construction of apartment units and receives two or three units upon completion, what is the ruling on Khums for the additional units?

A: If all the received units are needed for personal use, they are exempt from Khums. However, if the additional units are intended for rental income, Khums is not obligatory as long as they remain unsold. Upon sale, the profit after deducting the original value and inflation is considered income for the year of sale and subject to Khums. If the additional units are intended for sale and profit, Khums on their yearly increase in value, after deducting inflation, must be paid at the end of each Khums year.

Converting Living Expenses (Ma'ūnah) into Capital

Q132: I sold my residential house, where I lived for several years, and used the money as working capital for business. Is this capital exempt from Khums?

A: The proceeds from selling living expenses (ma'ūnah) of previous years, which are no longer considered as living expenses, are exempt from Khums, even if used as working capital. However, any increase in the value of this capital, after deducting inflation, is subject to Khums at the end of each Khums year.

Q133: If a space initially constructed as a personal parking area is later rented out for income, is it subject to Khums?

A: If the use change occurs after the Khums year, it is exempt from Khums.

Q134: If I convert my residential house, which is my living expenses (ma'ūnah), after the Khums year into a space for my company or as storage, is it still exempt from Khums?

A: The house remains exempt from Khums in this scenario. However, if the house is sold, the recommended precaution (al-iḥtiyāṭ al-mustaḥabb) is that Khums on its value increase should be paid.

A Shop or Commercial Storage Attached to a Residence

Q135: I purchased a necessary residential house, which also includes an alley shop. My primary intention was to buy the house. Is the shop attached to the house subject to Khums?

A: If the shop was purchased with the intent of residential use, it is not subject to Khums. However, if the shop is solely usable for commercial purposes—even if it remains unused or not rented—it is considered excess to living expenses (ma'ūnah) and subject to Khums.

Selling Necessary Items for Living (Ma'ūnah)

If ma'ūnah (necessary items for living) is sold after the Khums year, the proceeds are not subject to Khums.

Q136: I purchased a car several years ago. Its current sale price is often its original purchase price. If I sell it and use the proceeds to buy a house for a personal residence, does the entire amount of money received require Khums, or only the original purchase price? The remaining amount, which represents the appreciated value of the car, is considered part of the income for the year of sale. Is this amount subject to Khums if it is not spent on necessary living expenses (ma'ūnah) by the end of that Khums year?

A: If the car has been used as necessary living expenses (ma'ūnah), the proceeds from its sale are not subject to Khums. However, if the car was a means of income and Khums was paid on its original purchase price, any increase in value, after deducting the original price and inflation, is considered income for the year of sale. If this amount is not spent on

ma'ūnah by the end of the year, it will be subject to Khums.

Q137: If someone sells his residential house after the Khums year and deposits the proceeds in the bank to earn interest or saves it to purchase another residence, what is the ruling regarding their Khums?

A: The proceeds are not subject to Khums in either case.

Q138: What is the ruling regarding the Khums for a house, car, or other necessary items purchased with annual income if sold due to necessity or to upgrade to better items?

A: If the sale occurs before or after the Khums year and the proceeds are used to acquire another ma'ūnah, the proceeds are not subject to Khums.

Sold Land and House

Q139: I purchased a plot of land with Khums-paid money, intending either to build a residence house or, if unable, to sell it and buy a house. After several years, the land appreciated in value, and I sold it. In the same Khums year, I used the proceeds and some additional savings to buy a residential house. Is the money used to purchase this house subject to Khums?

A: The money used to purchase the house is not subject to Khums.

Savings for the Near Future

Savings are absolutely subject to Khums unless they are used for necessary living expenses (ma'ūnah) within five days after the Khums year-end. However, if you set aside a certain amount for unforeseen needs and ensure that the remaining funds [after paying Khums] are insufficient to alleviate your concern, the saved amount is exempt from Khums.

[Khums on] End-of-Year Salary

Q140: If my Khums year ends at the start of the month and my salary is deposited a few days before that, is this month's salary subject to Khums?

A: If the salary is spent within five days after the Khums year-end, it is exempt from Khums. The same ruling applies if paying Khums on it would leave insufficient funds to cover your living expenses for the following month.

Savings for Necessary Living Expenses

Q141: If someone who does not own a house saves money to buy a residence or other living necessities, is the saved amount subject to Khums?

A: Income saved for future living expenses is subject to Khums at the end of the Khums year, unless it is specifically saved for essential living items or necessary living expenses. In such cases, if the money is spent on those necessities shortly after the end of the Khums year, it is exempt from Khums.

Savings of Salary for Marriage Expenses

Q142: I am unmarried and have saved money for marriage-related expenses. My Khums year is about to end, and I have limited income as a salaried employee. Paying Khums on my savings would create challenges in arranging the marriage since the saved amount is already insufficient for even simple wedding expenses. Is this savings subject to Khums?

A: If you have begun preparations for marriage—even basic steps like initiating the proposal process—you are not required to pay Khums on the saved amount, and you may use your savings for marriage-related expenses.

Q143: Is Khums applicable to the income obtained by the students of Islamic studies while working and propagating Islam or to the portion of Imam (a.) they receive if they are unmarried and do not have a place of residence? Or can they save that income to be used for their future marriage?

A: The religious tithes (e.g., Khums, repaying al-maẓālim and zakāt) granted by the respected marji‘s as a gift to the students of Islamic seminaries who occupy themselves with Islamic studies are not subject to Khums. However, any income obtained from work or Islamic propagation is subject to Khums if it remains in one's possession until the end of the Khums year.

Savings for Building a House

Q144: I bought a plot of land two years ago to build a house. If I save money from my daily expenses for construction purposes while currently living in a rented house, is this saving subject to Khums at the end of the Khums year?

A: If you buy the required construction materials before the Khums year-end, your savings are exempt from Khums.

Living Expenses (Ma’ūnah) for Earning Income

Some of the income spent for earning profits, which is not replaced—such as transportation costs, employee wages, shop rent, utility bills, and taxes—are considered ruined/loss (talaf) and are not subject to Khums. If these expenses are covered from non-income sources, they are deducted from the profits of the same year.

Q145: I spent a significant amount on decorating and designing my shop. Is this decoration subject to Khums?

A: In general, if the decoration increases the value of the shop, or is tradeable, it is subject to Khums. Otherwise, it is considered a loss/ruined (talaf) and exempt from Khums.

Q146: If a person owns a shop or commercial property on which he has already paid Khums and he does not intend to sell the property, what is the ruling on the increase in its value due to changes such as exterior or interior renovations, stonework, or decoration that increase the shop's value?

A: The value increase resulting from using annual income for such improvements is subject to Khums.

Q147: If a house not considered necessary living expenses (ma’ūnah) is built to rent it out, and both the plot of land and construction materials were purchased using Khums-paid funds, while expenses, such as the worker wages and transportation costs, etc., were paid from annual income, what is the Khums ruling?

A: At the end of the first Khums year, Khums must be paid on the house's value after subtracting the price of the land, construction materials, and inflation.

Tax [Payments and Khums

Q148: If taxes are deducted from my monthly salary, am I exempt from paying Khums? For example, since a portion of government employees' salaries is deducted for taxes every month, some say they do not need to pay Khums anymore.

A: Taxes are uses to cover societal expenses as mandated by law, and every citizen is obligated to pay his share. Like other expenses, taxes are considered part of an individual’s living expenses (ma’ūnah). Therefore, so payment of taxes does not exempt an individual from paying Khums.

Q149: If a tax liability for this year has been determined but not yet paid, can it be subtracted from my year-end income?

A: If the tax is related to the current year's income, it must be deducted from this income.

Q150: Last year, I calculated and paid the Khums on my shop’s one-year working capital.

However, as I approached the end of this Khums year, I realized I needed to pay business taxes for two years. Since I was unaware of the tax issue, can I exclude these past taxes from this year's Khums calculation?

A: You can settle past tax debts from this year's income before the Khums year-end. However, excluding or subtracting such debts is only permissible if they pertain to the same year.

Debt and Borrowed Funds

A: A mukallaf is allowed to pay debts related to living expenses (ma'ūnah) or non-replaceable expenses (e.g., worker wages, utility bills) of the current year or previous years from the income of the current year within five days after the Khums year-end.

Additionally, the debts pertaining to living expenses (ma'ūnah), which are incurred during the current year, after earning the first income of the year, are allowed to be deducted from that income without the need for repayment. However, the debts that were incurred before earning the first income of the year, such as loans or credit purchases for living expenses, by obligatory caution (al-iḥtiyāṭ al-wājib), are not eligible for deduction or exemption from income.

The amounts spent from non-Khums-liable funds, such as gifts, inheritance, or Khums-paid money, after earning the first income of the year, are also allowed to be subtracted from the current year's income for such purposes.

The living expenses (ma'ūnah) and their related debts are allowed to be paid within five days after the Khums year-end [to be considered part of the current year's living expenses]. Unpaid debts related to earning income are allowed to be deducted or excluded from this income only if they directly pertain to the same income source. Therefore, if a debt is related to, for example, business, but the year's income is from a salaried job, this debt is not allowed to be deducted or excluded from the income of the salaried job year.

However, if, shortly after the Khums year-end, a mukallaf pays his debts from the same year's income, the amount of the debt customarily considered part of the year's expenses is allowed to be excluded from the remaining income of that year. Otherwise, any remaining unused income is subject to Khums.

Debt Related to Ma'ūnah (Living Expenses)

Q151: I am indebted for living necessities (ma'ūnah). If the Khums year ends and the creditor does not request repayment, and I have all or part of the amount covered by the new income, is this debt excluded from my current income?

A: If the expenses for living necessities occur after earning this year's income, deducting these debts from that year's income is permissible.

Q152: Can someone indebted for living expenses (ma'ūnah) deduct this debt from his annual

income, even if he has several years to repay it?

A: If the debt is incurred in the current year after the first income of the year has been earned, it is permissible to deduct this debt from the annual income without the need for repayment. However, if it pertains to previous years, it is exempt from Khums only if it is repaid within five days after the end of the Khums year.

Q153: If a check issued for customary living expenses (ma'ūnah) is cashed on the Khums year-end, does it count as ma'ūnah for that year and remain exempt from Khums?

A: It is considered ma'ūnah and is exempt from Khums.

Q154: I own some property, part of which is in cash and part as interest(ribā)-free loans to others. I also owe money for a residential plot purchased last year, with one of its checks due in a few months. Am I allowed to deduct the debt for the plot from these properties (cash and loans) and to pay Khums on the remainder?

A: The debt is allowed to be deducted from the year's income if the land has been purchased in the current year after earning the first income. However, if it has been purchased before the current Khums year, the debt is allowed to be deducted only if it is repaid within five days after the Khums year-end. Otherwise, it cannot be subtracted from current income.

Q155: I received a payment extension and issued two checks for my child's school tuition. When the Khums year ends, is this amount considered a debt, or must I cover it from the following year's income?

A: The amount corresponding to educational services provided after earning the first income of the year can be deducted. For the remainder, payment must be made within five days after the Khums year-end to deduct it from income; otherwise, it is not allowed to be deducted.

Employees with Cash and Installment Debts

Q156: Is paying Khums obligatory for employees with some annual savings while managing cash and installment debts?

A: If the debt resulted from a loan for the same year's expenses or purchasing some of the year's living necessities on credit, and if the expenses occurred after earning the first income of that year, then this debt can be deducted from the remaining income of that same year.

Debt Related to Business Expenses

Expenses related to a business can be deducted and exempted from the annual income, including obligations that are due but have not yet been paid.

Q157: Can the expenses such as water and electricity bills for a shop, worker wages, and

similar debts be deducted from the income at the end of the Khums year?

A: The debts related to the necessary expenses for earning income can be deducted from the income of the same Khums year.

Q158: If someone is owed an amount of money and is also indebted by the same amount but intends to allocate the owed money to pay off the debt, is it obligatory for him to pay Khums?

A: If the owed amount is for wages or salaries not yet received, it is not subject to Khums. However, if the amount owed results from lending income, there are two scenarios:
a. If the equivalent debt is related to earning income in the same year or living expenses (ma'ūnah) incurred after earning the first income of the year, the debt can be deducted from the year's income.
b. If the debt pertains to living expenses (ma'ūnah) or business expenses from previous years, it can be deducted only if the amount owed is received and the debt is paid before the Khums year-end. Otherwise, it cannot be deducted from the current year's income.

Loans and Borrowed Funds at the Khums Year-End

Q159: As my Khums year has ended, I have a twenty-million-dollar loan from others in my bank account. The time to repay the loan or its installments has not yet arrived, and I have not been able to spend it yet. Is this amount subject to Khums?

A: It is not subject to Khums.

Q160: A few years ago, I took a loan from a bank and deposited it into my bank account for a year. Without being able to use the loan, I have been paying its installments monthly. Is this loan subject to Khums?

A: If the remaining loan amount is greater than the outstanding installments, it is obligatory to pay Khums on the excess.

Long-Term Loan Installments

Q161: I took out a loan for household items and used it for my living expenses. Are the installments I repay subject to Khums?

A: Since the loan has been used for living expenses, the installments are not subject to Khums.

Q162: If a loan is received and its repayment lasts several years, are the installments paid each year subject to Khums?

A: If the loan was spent on living expenses (ma'ūnah), the paid installments are not subject to Khums. However, if the entire loan or part of it remains unspent, and the unspent amount exceeds the remaining installments, Khums is obligatory on the excess amount.

Q163: I have debts related to constructing my residential house, and repayment will take up to twelve years. Are these debts excluded from the annual income?

A: In general, if the debts result from spent ma'ūnah (living expenses) (such as building a residential house), its repayment from the annual income, even in subsequent years, is permissible and not subject to Khums. However, deductions from the annual income can only apply to the year the expenses occurred, provided they were incurred after earning the first income of that year.

Q164: Is Khums obligatory for individuals in debt?

A: Merely being in debt does not prevent Khums from being obligatory.

Q165: I took a loan from a bank with a repayment deadline after my Khums year ends, but I fear I may be unable to repay it next year if not settled this year. What is my duty regarding Khums at the end of my Khums year?

A: It is permissible to repay installments—even future ones. However, if the loan remains unspent or is used as capital, Khums must be calculated and paid on those amounts.

Khums on Entrusted Money

Q166: If someone entrusts money to us for safekeeping (trust), is it subject to Khums?

A: The Khums of such money is not your responsibility.

Loan (Rahn) Instead of Rent

Q167: A person owns a two-story building and resides on the upper floor himself. He has given the lower floor to someone else to live on. He has taken some money as a loan (rahn) without charging rent. Is this loan subject to Khums?

A: The loan is not subject to Khums. However, you should note that such a rental agreement, as described, is invalid.

Q168: I have rented out a property for one million tomans per month. In addition, I have taken a 100 million tomans loan (rahn) from the tenant. Is this loan subject to Khums?

A: The loan is not subject to Khums.

Q169: If a tenant is compelled to give a loan (rahn) to the landlord as part of the rental agreement, is this amount subject to Khums?

A: If the tenant cannot afford the full rent or if the landlord requires such an arrangement, the amount is not subject to Khums and is considered part of living expenses (ma'ūnah).

Khums-Paid Property

Income on which Khums has already been paid is not subject to Khums again.

The Deduction of Khums-paid Amounts from Year-End Balance

Q170: A salaried individual has 100,000 tomans remaining from his Khums-paid income. By the end of the following year, an additional 50,000 tomans of income has been added. Should Khums be paid on the new amount of 50,000 tomans or on the total 150,000 tomans in the new year?

A: If the 100,000 tomans was not used during the year or was spent after the first income of the year, Khums is only obligatory on the 50,000 tomans.

Q171: My method of calculating Khums has been as follows: I considered my first income as the start of my Khums year. At the end of each year, I calculated the remaining cash, food supplies, and other items, compared them to the previous year's balance, and paid Khums on this increase. Is this method correct?

A: If the Khums-paid amounts from previous years were consumed before earning the first income of the new year, the obligatory caution (al-iḥtiyāṭ al-wājib) is that this method is not valid. In such cases, the entire remaining balance must be calculated for Khums. However, if consumption occurs after earning the first income of the new year, the corresponding amounts from the Khums-paid balance can be deducted at the end of the year.

Deducting Non-Khums-Liable Property from Calculation of the Khums on Capital

Q172: If the non-Khums-liable property is added to one's capital, should it be deducted at the end of the Khums year?

A: That property and its inflation should be deducted from the capital.

[Khums on] Khums-paid Business Tools

Business tools on which Khums has already been paid are not subject to further Khums unless sold. After the sale, the proceeds—after deducting the original Khums-paid value and its inflation—are treated as income for the year of sale.

Q173: I paid Khums on my business tools in the first year. Does Khums apply to their appreciation or added value in subsequent years?

A: Khums does not apply to the appreciation or added value as long as the tools are not sold. Upon sale, the proceeds—after deducting the original Khums-paid value and its inflation—are considered income for the year of sale.

Q174: I sold my Khums-paid business tools for more than their purchase price. How is the Khums on the proceeds calculated?

A: After deducting the Khums-paid value and its inflation, the remaining amount is considered income for the year of sale. If it is not spent on living expenses (ma'ūnah) by the end of the Khums year, Khums is obligatory on the remaining amount.

Khums on Khums-paid Merchandise

At the end of each Khums year, the value of merchandise (māl al-tijārah) must be assessed. After deducting the original Khums-paid capital and its inflation-adjusted value, Khums is obligatory on any added value, provided the merchandise has a buyer.

Q175: How should the value and Khums of unsold items in a shop, which Khums was already paid last year, be calculated?

A: At the end of the Khums year, you should calculate the value of the items in stock. If exact valuation is difficult, an estimated value will suffice. Khums should be paid on the amount exceeding the previous year's total value, adjusted for inflation should be paid.

Q176: I own a shop, and I assess the remaining cash and inventory each year. Since some goods remain unsold by the end of the Khums year, should I pay Khums on them before selling them? If I pay Khums now but sell them later, how should I calculate it for next year? Also, what is the ruling if I do not sell them and their prices change?

A: Whether the goods are sold or not does not affect the obligation to pay Khums. You are required to calculate the current market value of the goods at the end of the Khums year and pay Khums based on that value. If you sell them in the following year, any profit you make that exceeds inflation will be subject to Khums at the end of next year.

Q177: I am a businessman who started my business about a year and 3 months ago; I have several questions regarding the issue of Khums:

Q1: Do unsold goods in stock for over a year, which are now considered outdated and sold below cost, become subject to Khums?
Q2: If I purchase goods today and my Khums year ends tomorrow, are these goods immediately subject to Khums, or must a year pass?
Q3: If I purchase goods on credit but have not yet paid for them, are they subject to Khums?
Q4: If my principal capital is 10 million tomans, either received as a gift or already Khums-paid, and it is invested in the business, do unsold goods at the Khums year-end require Khums?

A1&2: The goods purchased from your wages or income are subject to Khums based on their market value at the end of the Khums year.
A3: Khums is applicable to any increase in the value of goods at the end of the Khums year.
A4: If the increase in the value of goods does not exceed inflation, no Khums is due.

The Mixing of Khums-Liable Property with Non-Khums-liable Property

If property subject to Khums is mixed with property that is not subject to Khums in a single account, as long as the Khums-liable property remains present in the account, any withdrawal made for spending on living expenses (ma'ūnah) — whether done intentionally or unintentionally — will be deducted from the Khums-liable portion. Consequently, the property not subject to Khums will remain preserved.

Q178: If my government subsidy is deposited into the same account as my salary, do I need

to specify the source when withdrawing? How should previous withdrawals made without intention be calculated?

A: It is not necessary to specify an intention. If the salary remains in the account, any amount withdrawn for living expenses (ma'ūnah) will be deducted from the pay, and the government subsidy will remain preserved.

Q179: If, for example, there is 100 million tomans of Khums-paid money in a savings account and an additional 50 million tomans of non-Khums-paid money is added, what should be done if some money is withdrawn during the year? At the end of the year, is it necessary to calculate the Khums on the entire balance, or is it sufficient to only pay the Khums on the remaining non-Khums-paid amount?

A: At the end of the year, if your account balance exceeds 100 million tomans, you must pay Khums on the excess amount.

Q180: After paying Khums in Farvardin this year, I had a balance of 5,500,000 tomans remaining in my account. Over time, my subsequent monthly salaries were deposited, mixing the Khums-paid and non-Khums-paid amounts. What is my obligation when spending from this account?

A: The amount present in your account when you receive your first salary this year should be deducted from the end-of-year balance and Khums must be paid on the remaining balance.

Q181: A portion of my property consists of a wedding gift, a marriage loan, and a salary. If the remaining amount equals the loan and gift, is it liable for Khums?

A: If the property has been spent on customary living expenses and the loan installments have not been paid from your income, it is not subject to Khums.

Q182: I had some money in my bank account, on which I paid **Khums at the end of the Khums year. However, I added to and withdrew from this amount several times throughout the following Khums year. Now that the Khums year has ended, how should I calculate the Khums on this money? Should I pay Khums on the entire amount due to its circulation, or does Khums apply only if the current balance exceeds the previous year's balance?**

A: If the amounts deposited into the account are from your salaries or income, the amount present in the account at the time of receiving the first salary of the new Khums year should be deducted from the end-of-year balance. After this deduction, Khums should be paid on the remaining amount.

Compensation for Capital Losses

At the end of the Khums year, losses incurred on capital—such as depreciation, a decline in the value of tools, or damage—are deducted from the income.

In this regard, unlike living expenses (ma'ūnah), it does not matter whether the loss occurred

on capital before or after earning the first income.

Q183: I am a producer, and during the Khums year, some of my tools were damaged and removed from production, while others experienced depreciation. Can I deduct the equivalent amount from my end-of-year income? Additionally, if I lose part of my capital due to theft or incidents like a fire, am I allowed to deduct this amount from my year's income?

A: All the mentioned cases are deducted from your year's income, and Khums is calculated on the remaining amount.

Q184: Last year, I calculated the Khums on my property and determined my Khums year. At that time, I owned 98 sheep and some cash. Over time, the number of sheep decreased due to gradual sales while my cash increased. At present, I own 60 sheep and some cash. Am I obligated to pay Khums on this cash, or only on the excess amount?

A: If the total value of the current sheep and cash exceeds the combined value of the 98 sheep and cash (including inflation adjustment) from the previous year, the excess amount is subject to Khums.

Gift (Hibah)

In general, any property, goods, or money given to a mukallaf, which the mukallaf would not have a rightful claim to if it were not given, is not subject to Khums. This includes gifts, government subsidies, bank prizes, and stipends, as well as pensions paid by the Foundation of Martyrs and Veterans Affairs to disabled veterans, former prisoners of war, and the esteemed families of martyrs. However, the recommended precaution (al-iḥtiyāṭ al-mustaḥabb) is that, if any of these exceed the annual expenses, Khums should be paid on the surplus.

An Increase in the Value of Gifted Property

If gifted items not kept with the intent of trade are sold, paying Khums on them is not obligatory, even if their value has increased.

However, if the gifted property is used as capital for trade and sold, the sale price—after deducting its original value and inflation adjustment—will, by obligatory caution (al-iḥtiyāṭ al-wājib), be considered income for the year of sale. If it is not spent on living expenses (ma'ūnah) by the end of the year, Khums must be paid on the surplus.

My Wife's Pension Entitlement and the Payment of Her Share

Q185: I receive a pension after retirement, and periodically, I also receive an amount designated as my wife's entitlement, which I transfer to her, and she deposits it in the bank. Is this amount subject to Khums?

A: This amount is not subject to Khums.

Bride Price (Shīrbahā)

Q186: Does the bride price received from the groom become liable for Khums?

A: The bride price is not subject to Khums.

Employee Bonuses and Rewards

Paying Khums on bonuses and rewards is not obligatory.

Q187: Are employee bonuses and rewards liable for Khums?

A: Paying Khums on them is not obligatory.

Q188: I am a former prisoner of war. Due to the consideration of double the duration of my captivity as service time, I am now retired. Based on the above, how does Khums apply to my end-of-service bonuses?

A: Paying Khums on this amount is not obligatory.

Severance Pay

Q189: Is severance pay subject to Khums? If so, should Khums be paid at the end of the Khums year or immediately upon receipt?

A: Severance pay, given by an employer to an employee under a contract or labor law, is considered income. If it is not spent on living expenses (maʻūnah) by the end of the Khums year, it is liable for Khums.

Living Assistance

Q190: Sometimes, the government provides living assistance to employees in the form of goods, either for free or at subsidized prices. If any of these goods, wholly or partially, remain unused by the end of the Khums year, are they subject to Khums?

A: Goods received free of charge are not subject to Khums under any circumstances. However, if goods are received at subsidized prices and more than half remain unused by the end of the Khums year, the surplus exceeding half is subject to Khums.

Pensions for Veterans, Former Prisoners of War, and Martyrs' Families

Q191. Is the pension for veterans subject to Khums? What about the amounts paid to their spouses?

A: Paying Khums on the veteran's pension is not obligatory. As for the caregiving pension paid to their spouses, if it is explicitly provided for caregiving duties (meaning it is only given if caregiving takes place), any surplus beyond yearly expenses is subject to Khums. Otherwise, it is not liable for Khums.

Q192:The government has calculated the duration of the captivity of former prisoners of war

as their leave and compensated them for this period. Is this compensation considered income? Is it subject to Khums?

A: This compensation is not subject to Khums.

Q193: Does Khums apply to the savings from the pension provided to the parents of former prisoners of war by the government?

A: Paying Khums on this pension is not obligatory.

Q194: Is the pension provided by the Foundation of Martyrs and Veterans Affairs to the families of the martyrs subject to Khums?

A: Paying Khums on this pension is not obligatory.

Khums on the Capital of Martyrs' Children

Q195: Is the pension provided by the Foundation of Martyrs and Veterans Affairs to the children of martyrs subject to Khums? Are the profits earned from saving these pensions also subject to Khums?

A: The pensions received are not subject to Khums. However, any profits earned from saving these pensions are subject to Khums. Additionally, any surplus at the end of the Khums year beyond the inflation-adjusted principal must be included in the Khums calculation.

Q196: Are assets inherited by the children of esteemed martyrs and the income derived from them for their livelihood subject to Khums?

A: Generally, inheritance is not subject to Khums. However, income generated from inherited assets is considered yearly income, and any surplus beyond necessary living expenses is liable for Khums.

Performance Bonuses

Q197: In some offices, performancebonuses are paid annually at the discretion of management. Are these bonuses subject to Khums?

A: If the bonus is considered part of the employee's salary, it is subject to Khums. However, if it is a gift, Khums is not obligatory.

Q198: Are all items listed in a pay slip subject to Khums?

A: If an item considered an entitlement based on a contract, such that the recipient can demand it if it is not provided, any surplus over the expenses of the Khums year is subject to Khums. However, if it is given without any entitlement, Khums is not obligatory.

Bank Prizes

Q199. Are prizes awarded by banks or ribā-(interest)-free loan funds subject to Khums?

These prizes are not subject to Khums.

Monetary Gift (Hibah) for Household Expenses

Q200: I am a housewife, and my husband provides money for my expenses, the children's needs, and household necessities. He effectively gifts this money to me, as he never asks about how I spend it or if any remains. If I purchase clothes or household items with this money and they remain unused for some time, how is their Khums calculated? Do I need to determine a separate Khums year for myself?

A: In this scenario, since the funds are spent on necessary household expenses, they are not subject to Khums, even if they were not explicitly gifted to you.

Educational Assistance

Q201: Are stipends for university students or tithes (e.g., Khums, repaying al-maẓālim and zakāt) for the Islamic studies students in Islamic seminaries subject to Khums? Additionally, if a student is on a scholarship and receives a salary during his studies, is it liable for Khums?

A: Educational stipends for university students or the tithes granted to Islamic seminary students are not subject to Khums. However, salaries received by scholarship holders during their studies are subject to Khums.

Q202:If a student receiving educational grants from Ministry of Science Research and Technology saves a significant portion of his stipend through frugality to cover unforeseen living expenses, is this amount subject to Khums?

A: Such savings are not subject to Khums.

Maintenance (Nafaqah)

Is maintenance (nafaqah) received by a wife from her husband, a child from his father, or parents from their children subject to Khums?

Q:If a husband does not specify an amount for his wife’s maintenance (nafaqah) and tells her to take whatever she needs, and she gradually saves some of this money for future use, is this saved amount subject to Khums at the end of Khums year?

A: If the husband intends to gift the money to his wife, it is not subject to Khums.

Q203:I am a mother whose living expenses are provided by my children. Does Khums apply to me if there is a surplus at the end of the Khums year?

A: This surplus is not subject to Khums.

Q204:If someone receives maintenance (nafaqah) from his father or mother, is it subject to Khums? If the provider has not paid Khums on his property, is the recipient obliged to pay Khums on what he receives?

A: Maintenance (nafaqah) is not subject to Khums in any case.

Inheritance

Inheritance and proceeds from its sale are not subject to Khums, even if the value appreciates. However, if the inherited property is used for investment, it is considered part of the year's income. If this income is not spent on living expenses (ma'ūnah) by the end of the Khums year, the obligatory caution (al-iḥtiyāṭ al-wājib) is that it is obligatory to pay Khums on the added value after selling the property and deducting inflation.

205. If profits derived from inheritance are not spent on the child's living expenses (ma'ūnah) throughout the year, they are subject to Khums. The child's legal (shar'ī) guardian may pay the Khums. If the guardian fails to pay, it is obligatory for the child to pay the Khums upon reaching maturity.

Q206: I inherited some silver coins. Are these coins subject to Khums or zakāt?

A: Inherited property, including silver coins, is not subject to Khums. Moreover, since silver coins are no longer a common medium of exchange, they are not subject to zakat either.

Appreciation in the Value of Inherited Assets

Q207: The father's garden has been transferred to his son through inheritance. At the time of transfer, it didn't have a high value, but its price has now increased. Does Khums apply to the amount of the price increase?

A: Khums does not apply to this increase unless the property was held with the intention of trading or profiting from the appreciation. In such cases, this appreciation, after deducting inflation, is counted as income in the year the property is sold. If this income is not used by the end of the Khums year, Khums must be paid on it.

Dowry (Mahr)

Q208: Is the dowry received by a wife subject to Khums?

A: Generally speaking, dowry is not subject to Khums.

Q209: My dowry consisted of fourteen gold coins I received and kept. Does Khums apply to them?

A: Dowry is not subject to Khums. However, if the dowry is kept to earn profit or appreciation, and if it is not spent on living expenses (ma'ūnah) by the end of the Khums year, the obligatory caution (al-iḥtiyāṭ al-wājibit) is that it is, obligatory to pay Khums on the added value after selling the dowry and deducting inflation.

Q210: Am I liable to pay Khums on the interest earned from my monetary dowry (Mahr), which I have invested in a bank?

A: The principal amount of the dowry (mahr) is not subject to Khums. However, any profits derived from it, if they exceed the inflation rate of the principal, are subject to Khums. If these profits are not spent on living expenses (ma'ūnah) by the end of the Khums year, they are liable for Khums.

Endowment (Waqf)

Q211: What is the ruling concerning Khums on the profits and products of land and endowment (waqf)properties?

A: Endowed properties, whether general or specific, are not subject to Khums; the fruits and yields of the endowed property also do not incur Khums, except in cases where they are obtained through acquisition

Q212: My maternal ancestors have endowed their properties, and I receive an income from this endowment. Should I pay Khums on this income?

A: The property received by the beneficiary of the endowment (al-mawqūf ʿalayh) from the endowment (waqf) is not subject to Khums, although the recommended caution (al-iḥtiyāṭ al-mustaḥabb) is that Khums should pay on this property.

Blood-Money (Diyah)

Q213: Is blood money (diyah) subject to Khums?

A: Blood money (diyah) is not subject to Khums.

Q214: Due to an accident, I received a sum of blood money (diyah), which I deposited in the bank to earn interest. Is this interest subject to Khums?

A: The principal amount of blood money (diyah) remains exempt from Khums. However, the profits earned from money are considered income. After deducting the inflation rate of the principal amount, the profit derived from it is subject to Khums. If these profits are not spent on living expenses (ma'ūnah) by the end of the Khums year, they are liable for Khums.

Insurance

Payments to Insurance Companies

Q215: Are payments made to the insurance companies, such as life insurance (non-investment), retirement, accidents, fire, or vehicle insurance, subject to Khums?

A: When a policyholder makes insurance premium payments, whether gradually or in a lump sum, these payments are considered part of his living expenses (ma'ūnah) if the premiums are paid from the income of the same year. However, if the premiums are paid for investment purposes and come from income, they must be calculated at the end of each Khums year, and Khums must be paid on these amounts.

Insurance Payoutsfor Damage Compensation

Q216: Do the payouts made by insurance companies to the insured as compensation for damages, under the contract terms, become liable for Khums?

A: The compensation insurance companies provide to a policyholder for damages—such as vehicle body insurance, fire insurance, or agricultural product insurance—is considered one's income. [Therefore, one must pay Khums on it unless it is spent on expenses of life by the end of Khums year.]

Q217: Does the money received as compensation for damages in an accident become liable for Khums?

A: If the compensation is paid to someone who is not a party to the insurance contract, it is not subject to Khums.

Q218: I have opened life insurance accounts for myself, my children, and my spouse, and these accounts have been active for nearly five years. I deposit a specific amount into the insurer's account monthly, with this amount varying annually. After about 30 years, the insurer is obligated to pay a sum for each of us. We have waived our right to withdraw from or terminate the contract for first five years. Are the monthly deposits I make into the insurer's account, which is considered a form of savings, subject to Khums? If so, how is it calculated? Additionally, since my children are minors, and these accounts are a gift (hibah) for them, what is the ruling regarding this?

A: The amounts paid for life insurance (not for investment purposes) are considered part of one's living expenses (maʾūnah) and are not subject to Khums.
Any funds paid by the insurer to the spouse and children are not liable for Khums.
However, the funds paid by the insurer to yourself are considered income in the year they are received. If they remain unused until the end of your Khums year, they will become subject to Khums.
For payments made toward investment purposes, if they come from yearly income, the

amounts deposited must be calculated at the end of each Khums year, and Khums should be paid.

Supplemental [Health] Insurance Reimbursements

Q219: If an individual pays for medical treatment at a hospital and the insurance company reimburses 80% of the cost according to its commitment, does the reimbursed amount become liable for Khums at the end of the Khums year?

A: If the medical expenses are paid from income earned during the same year, any reimbursed amount is subject to Khums [if it is not spent on living expenses (maʾūnah) by the end of the Khums year].

Q220: An insurance company owes me an amount for medical expenses, which I paid to the hospital, and this amount will be reimbursed to me soon. Is this amount subject to Khums?

A: If the medical expenses are paid from the income earned in the same year and the reimbursement is received within that Khums year, the reimbursed amount is subject to Khums if it remains unused for living expenses (maʾūnah) by the end of the Khums year. However, if the reimbursement is received at the very end of the Khums year, the Khums must be paid on the reimbursed amount immediately upon receipt.

It is to be noted that the amounts reimbursed by, say, an insurance company for medical expenses and the like are considered a reduction of costs rather than a new income. Consequently, the rules of Khums will apply to these amounts.

Unemployment Insurance Payments

Q221: I have been laid off since a few months ago due to workforce downsizing at my factory, and I receive unemployment insurance payments for my livelihood. If there is any surplus from these amounts at the end of my Khums year, does it become liable for Khums?

A: Unemployment insurance payments are not subject to Khums if they are made based on a contract between the employer and the insurance agency.

However, if these payments are based on a contract between the worker and the insurance agency, or if these payments are based on a contract between the worker and the insurance agency, or if the worker's contract explicitly stipulates that the employer must pay unemployment insurance premiums, these payments are considered income and are subject to Khums [if they remain unused by the end of the Khums year].

Q222: If a person receives payments from an insurance agency to cover medical leave as prescribed by a doctor (for example, a daily allowance of a specific amount for one or two months, and the insurance agency makes a payment this month, but the person's Khums year ends next month. Are these payments subject to Khums?

A: If these payments are made based on a contract between the recipient and the insurance agency, or if the employer paid the insurance premiums as per an agreement with the

recipient, they are treated as income. [In this case, if the payments remain unused by the end of the Khums year, Khums becomes obligatory.] Otherwise, the payments are treated as a gift (hibah) and are not liable for Khums.

Pensions for Survivors of the deceased

Q223: After my father's passing, his retirement pension has been paid to my mother and sister. Are these amounts liable for Khums?

A: The monthly pension payments provided to survivors of the deceased policyholder are not liable for Khums.

Calculation and Payment of Khums

The calculation of Khums is an obligation due to something else (al-wujūb al- ghairī), rather than being an obligation due to itself (al-wujūb al-nafsī). The subsequent rulings will clarify the implications of this type of obligation.

Point 2: A person familiar with the Khums rulings may personally calculate the amount of Khums and pay it to the authority in charge of Khums (walī al-amr of Khums) or his authorized attorney.

Khums Year

Anyone earning an income, even if it is small, is obligated to determine a Khums year and calculate his annual income. If any portion of the income remains unused by the end of the year, paying Khums on the surplus is obligatory.

Q224: Is it obligatory for young unmarried individuals living with their parents to specify a Khums year?

A: A mukallaf (anyone legally obliged to fulfill religious duties), even if he is unmarried, who earns an income, is obligated to calculate their income at the end of their Khums year.

Q225: I am a housewife. My husband has a Khums year and pays Khums on his property accordingly. Occasionally, I also earn some income. Can I determine my Khums year, starting from the time I receive my first income on which Khums has not been paid? At the end of the year, may I pay Khums on the remaining amount after deducting living expenses (ma'ūnah)? Does Khums apply to amounts spent during the year on things like ziyārah, gifts, and similar expenses?

A: It is obligatory to consider the time you receive your first income as the start of your Khums year. After one year from that date—you must pay Khums on the portion of your income that has not been used for necessary living expenses (ma'ūnah), such as those you mentioned in your question.

Q226: If someone is confident that none of his annual income remains by the end of the year, as all of it is spent on living expenses, is it obligatory for him to determine a Khums year?

A: Determining a Khums year and calculating annual income are not independent obligations (al-wujūb al-nafsī) but rather methods for determining the amount of Khums. Therefore, if all earnings are spent on living expenses (ma'ūnah), there is no need to calculate or pay Khums.

Q227: Since Khums applies only to the surplus beyond living expenses (ma'ūnah) if a mukallaf knows that part of his income will not be spent on living expenses (ma'ūnah) by the end of the Khums year, is it obligatory to pay Khums before the year ends?

A: It is not obligatory to pay Khums before the end of the Khums year.

How to Determine the Khums Year

Q228: How is the Khums year determined?

A: Determining the Khums year is not optional and depends on the timing of income acquisition, which varies according to the nature of one's earnings:
For individuals, such as shopkeepers or taxi drivers, who earn income gradually (for example, on a daily basis), their Khums year begins with the start of their work.
For those who earn income at specific intervals, such as monthly salaries, their Khums year starts when they receive their first income.
For Individuals, such as farmers and orchard owners, the Khums year begins when their produce is considered a profit (ribh) and has financial value.

Q229: I have recently started working in a government institution. On November 1, 2004, I began a training course that lasted approximately five months, during which I received training stipends. I have been receiving my full salary since April. Should the start of my Khums year be based on when I began receiving my full salary or when I was receiving the training stipends?

A: If the training stipends were given to you as a wage (ujrah), the start of your Khums year is the date you received your first stipend. However, if the stipends were provided as support or a gift (hibah), they are not subject to Khums, and your Khums year begins on the date you received your first official salary.

Q230: My wages were paid to me through a check. Should the start of my Khums year be based on the date I received the check or the date it was cashed?

A: The start of your Khums year is determined by the date the check is cashed.

Q231: I have not yet determined a Khums year for myself. What is my obligation? Should I begin my Khums year from the date I received my first salary?

A: You must, at the earliest opportunity, calculate and pay the Khums on your property in consultation with the authorized representative of your authority (Marjaʿ) in charge of Khums (walī al-amr of Khums) based on the actual date of your Khums year, if you know it. However, if you do not know the exact date, you should make a reconciliation (muṣālaḥah) with the authorized representative of your authority (Marjaʿ), and the date on which the Khums is calculated will then be determined as the start of your Khums year. Moving forward, you must calculate Khums annually on this date.

Q232: Should the Khums year be based on the lunar calendar or the solar calendar?

A: The Khums year can be based on the lunar or solar calendar, and mukallaf (anyone legally obliged to fulfill religious duties) can choose between them.

Q233: Is it allowed for me to change the Khums year from the Gregorian calendar to the solar calendar? If so, how can it be done?

A: The number of days in the Gregorian year and the solar (Iranian) year are the same. Therefore, the date of your Khums year in the Gregorian calendar corresponds directly to a date in the solar calendar. For example, if the Khums year is set to begin on April 1 (Gregorian), which coincides with Farvardin 12 in the solar calendar, the Khums year will now start on Farvardin 12 each year. You may henceforth use this solar date as the start of your Khums year.

Advancing and Delaying the Khums Year

Q234: Is it permissible to advance the Khums year? Am I allowed to calculate my Khums, for example, one or two months earlier than the end of each Khums year?

A: It is permissible to advance your Khums year. You can calculate and pay Khums earlier than the due date and designate that new date as the start of your Khums year.

Q235: Is it permissible for me to delay the calculation of Khums by two months this year?

A: Delaying the calculation of Khums is not permissible. If you wish to change the due date of your Khums year to a later date, you must first calculate and pay Khums on the current due date. Then, on your desired new date, calculate Khums again. By doing so, your Khums year will be set to the new date.

The Start of a New Khums Year

If there is an interval between the end of the Khums year and the first income earned in the new year, the start of the new Khums year can be designated as the date when the first income was received.

Khums for Someone Without a Previously Determined Khums Year

Q236: A person is calculating Khums for the first time. What is the ruling regarding essential living items purchased with unknown funds? What if he knew these items were purchased with savings accumulated over several years?

A: If he knows the items were purchased with income saved over several years, then he must pay Khums on the purchase price plus any inflation that occurred during those years. However, if he is not sure, and since he has not calculated Khums annually in the past and there is a possibility that the savings had passed a Khums year, he must make a reconciliation (muṣālaḥah) with the authorized representative of his authority (Marjaʿ).

Establishing a Joint Khums Year for Husband and Wife

Q237: Can a husband and wife who jointly use their incomes for household expenses have a shared Khums year?

A: Having a shared Khums year is not problematic if a husband and wife have the same

due date for their Khums year. However, if their due dates differ, they can synchronize their Khums year by advancing the earlier date to match the later one. The method for advancing the Khums year has been explained in previous issues.

Calculating Khums on the Property of a Deceased Person

Q238: If someone passes away during their Khums year, is it obligatory to pay Khums on the profits earned during that year, even if there are minor heirs (ṣighār)?

A: If he passes away before the due date of his Khums year, his income up until the time of death must be calculated, and Khums must be paid on the surplus income. Having a minor heir does not exempt a deceased person from the obligation of paying Khums.

Q239: When a person passes away during the Khums year, it is understood that his Khums year is considered to be complete. Therefore, Khums must be paid on any income that was not used for his living expenses (maʻūnah). Before paying Khums, is it permissible to deduct his funeral expenses from his estate as part of the living expenses, especially if the funeral costs encompass the entire estate? Or must Khums be paid on the whole estate before the funds are allocated to funeral expenses?

A: If funeral expenses for the deceased are paid from his estate, there is no obligation to pay Khums on the amount used for those expenses. This ruling applies regardless of whether the funeral expenses cover the entire estate or only a part of it.

Khums on the Property of Minors

Q240: Does Khums apply to minors' property? If it does, who is responsible for paying it?

A: Like others, minors are obligated to pay Khums on any income they earn that is not spent on their living expenses (maʻūnah) during the Khums year. The minor's legal (sharʻī) guardian may pay the Khums on their behalf. If the guardian fails to pay it, the obligation remains, and the minor must pay the Khums once they reach the age of ritual maturity.

Khums on Profits from Pre-Maturity Gifts

Q241: I am a ten-year-old girl who reached the age of legal responsibility (taklīf) in September 2004. Since childhood, any monetary gifts I received, such as gifts for New Year (Nowruz), were saved in a long-term account by my parents, and some profit was earned from these savings. Now that a year has passed since my age of legal responsibility (taklīf), how must I calculate the Khums on my property?

Answer: The amounts received as gifts are not subject to Khums. However, any profits earned on these gifts are subject to Khums if not spent on your living expenses (maʻūnah) throughout the year. You must calculate and pay Khums on such profits. Any profits earned after reaching the age of ritual maturity are also subject to Khums if they remain unspent by the end of your Khums year. (It's important to note that only the amount exceeding inflation is considered profit for this purpose.)

Khums on the Property of an Insane Person

Q242: Does Khums apply to the property of an insane person (majnūn)?

A: If a mentally incapacitated person (an insane one) has earnings not spent on his living expenses (ma'ūnah) during the Khums year, those earnings are subject to Khums. Their legal (shar'ī) guardian is responsible for paying the Khums on his behalf. If the guardian fails to pay, and the individual regains mental capacity later, he must pay the Khums himself. However, if the person remains insane until death, the unpaid Khums must be paid from their estate.

Q243: Does Khums apply to the property of someone who has Alzheimer's disease and suffers from complete memory loss?

A: If the Alzheimer's disease is so severe that he loses the ability to discern and make rational decisions, he is considered similar to an insane (mentally incapacitated) person. Its ruling is presented in the previous question.

Q244: A person in sound mental health gives money to his child to pay as Khums. Before the child pays it, he learns that his parent has lost his mental capacity. Can this money still be accepted as Khums?

A: Yes, the money can be accepted and paid as Khums.

Calculating Khums for Multiple Income Sources

If someone has multiple income streams—such as rental income, trading, and farming—and each business or activity has separate accounts for capital, income, and expense, the profit for each activity must be calculated separately at the end of the Khums year. Losses in one activity cannot be offset against the profits in another. However, if all activities share a single income, expenses, and capital account, the total combined profit is calculated at the end of the Khums year, and Khums must be paid on the surplus amount.

Q245: I have multiple jobs and sources of income. Can I have a separate Khums year for each job? If so, is it permissible to pay the Khums of one job using income from another whose Khums year has not yet arrived?

A: If you maintain separate accounts for income, expenses, and profits for each job, you may designate a distinct Khums year for each one. Losses in one activity cannot be offset against the profits in another. Khums must be paid on each job from the income of that same job. In other words, paying the Khums of one job with the income from another job is invalid except that you may pay an amount equal to one-fourth.

Paying Khums on Property from Next Year's Income

Q246: If someone owns a property (a house or land) liable for Khums, can he pay it from next year's income? Or must he first pay the Khums of his current income and then use the Khums-paid amount to pay the Khums of the property?

A: If he intends to pay the Khums on the property using next year's income, he must also pay the Khums on the amount used for this payment.

Q247: Can I use this year's income to pay the Khums I owe from last year?

A: Generally speaking, Khums for each year should be paid from that year's income. However, if you intend to pay last year's Khums from this year's income, at the end of this year's Khums year, you must also pay Khums on the amount used to settle the previous year's Khums. Alternatively, you can first pay the Khums on the new income and then use the Khums-paid portion to pay the outstanding Khums from the previous year.

Exchanging Khums-Paid Property with Khums-Liable Property

Q248: Can one intentionally exchange money that has not yet reached its Khums year with the Khums-paid money?

A: There is no need for such an exchange. At the end of the Khums year, if the remaining amount does not exceed the Khums-paid portion, it is not subject to Khums, even if the Khums-paid property has been spent and the remaining amount comes from Khums-liable income.

Types of Doubts Regarding Khums

1. When one doubts the correctness of past Khums calculations, it is assumed valid.

2. Sometimes, one knows his property is subject to Khums, but there is doubt as to whether Khums has been paid. In this case, the Khums is obligatory.

2. Sometimes, there is doubt whether the property in question is subject to Khums—such as profit from business— or exempt from Khums—such as a gift. In such cases, Khums is not obligatory.

3. Sometimes, there is doubt as to whether the income belongs to the current year or the previous year. This situation has two cases:

Case 1: If his Khums year has already ended and he is uncertain whether the income pertains to the current year (which would be subject to Khums) or the previous year (for which Khums has already been calculated), the recommended precaution n (al-iḥtiyāṭ al-mustaḥabb) is that he should make reconciliation (muṣālaḥah) with ḥākim al-sharʿ to settle the matter.

Case 2: If his Khums year has not yet ended and he is not sure whether the income belongs to the current year (which would not yet be subject to Khums) or the previous year (for which Khums has not been paid). In this case, it is considered the current year's income.

Doubt Regarding the Payment of Khums

Q249: If one doubts whether he has paid the Khums on a property but has a presumption of having paid it, what is his obligation?

A: He must pay the Khums.

Doubt about the Liability of Khums

Q250: If one is not sure whether his money is liable for Khums, what is his obligation?

A: If there is doubt about the obligation of Khums—such as not knowing whether his money is a gift or income—Khums is not obligatory. However, if the doubt arises due to ignorance or failure to calculate it, he must investigate and estimate the amount to resolve the doubt.

Q251. If a person finds some money inside his book and doubts whether it is from the income of the previous year —in which case he must immediately pay its Khums—or from the current year's income—which he can spend on his expenses until the end of the Khums year—, what is his obligation?

A: It is considered part of the current year's income.

Doubt Regarding the Time of Purchasing Living Expenses(Maʻūnah)

If a person who has a Khums year purchases a residential property or any other item considered part of his essential living expenses (maʻūnah) using earnings but is not sure whether the purchase was made during the year or after the end of the year and before paying Khums, he is not obligated to pay Khums on that purchase.

Q252: For several years, I have unfortunately not managed to calculate my Khums. During this time, I have purchased household items and necessities without knowing whether these purchases were made using income earned during the current year or income from the previous years. What should I do in this regard?

A: If you have not determined a Khums year account and are not sure whether the money used to purchase these necessities was from income that had passed its Khums year, you are obligated, as an obligatory precaution (al-iḥtiyāṭ al-wājib), to make a reconciliation (muṣālaḥah) with one of our authorized representatives.

Inability to Pay Khums

Merely being unable to pay Khums or finding it difficult to do so does not exempt someone from this obligation. If Khums is obligatory for a person, it must be paid under any circumstances. However, if he cannot pay his Khums immediately, he should pay it gradually and according to his financial capacity at the earliest opportunity.

Q253: For those for whom Khums is obligatory and who have not paid it yet or are currently unable to pay it or find it extremely burdensome to do so, what are their obligations?

A: The obligation to pay Khums must be fulfilled under all circumstances. If one is unable to pay it in full, he must pay it gradually according to his financial ability and at the earliest possible opportunity.

Q254: A person residing abroad who has not paid the Khums on his property and has purchased a house using money that is subject ot Khums. Currently, he lacks sufficient property to pay the total Khums he owes. However, he pays an amount exceeding the annual Khums each year as a part of his owed Khums. Is such an action valid?

A: In the given case, he must calculate the total outstanding Khums debt. If he is unable to pay it in full, he should gradually settle the amount by consulting one of our authorized representatives.

Q255: If a person has not paid the Khums on his annual income for several years and currently does not know the exact amount owed, how should he fulfill this obligation?

A: He must calculate and reconcile the amount owed by consulting with one of our offices (for religious dues) or one of our authorized representatives.

Delaying the Payment of Khums and Installment Payments

Q254: Is the payment of Khums an immediate obligation (al-wājib al-fawrī)?

A: The payment of Khums is an immediate obligation and must not be delayed beyond a few days after the Khums year ends.

Q257: I have calculated my Khums, but it is difficult for me to pay it in full. Can I pay it in installments?

A: If you cannot afford to pay the Khums in a single payment, you should pay it whenever you can and in any amount that you are able to afford. The timing of these payments is not fixed like standard monthly installments; rather, it depends on your ability and financial circumstances.

Q258: What is the ruling on delaying the payment of Khums until the next year?

A: If you are financially capable of paying Khums, it is impermissible to delay its payment until next year, and you must pay it immediately. However, if you cannot afford to pay it in full, as much as possible whenever you have the means to do so.

Q259: I receive a monthly salary. If I deposit this money into an investment account in a bank without paying Khums on it, is this permissible, and can I pay Khums on both the principal and the profit when I decide to use the money?

A: Delaying the payment of Khums is not permissible. You must calculate and pay the Khums on your income at the end of your Khums year.

Q260: Does a penalty apply to delayed payment of Khums?

A: Any penalty does not apply to delayed payment of Khums. However, if the delay results in a decrease in the value of the money due to inflation, the individual is responsible (ḍāmin) for paying the difference caused by the depreciation.

Q261: Is it permissible to delay calculating my annual income for several years, allowing my cash and capital to increase, before paying the Khums?

A: It is not permissible to neglect the calculation of Khums or delay its payment. If there is a delay, the decrease in value due to inflation must also be compensated.

Q262: If we have some unhulled rice stored in a warehouse, and its Khums year has passed, can we pay Khums only on the portion that is taken out for consumption?

A: It is obligatory to pay the Khums on the entire amount.

Q263: Can a mukallaf seek permission from an authorized representative of a marjaʿ (religious authority) other than his own to delay the payment of his Khums?

A: Firstly, as a general rule, once Khums becomes obligatory and the mukallaf is able to pay, it must be paid at the earliest opportunity.
A: Secondly, every mukallaf must seek guidance on the issues and the permissions concerning his Khums from the office or authorized representative of his own marjaʿ.

Q264: Seven years ago, Khums became obligatory for me, and I paid a portion of it. Since then, I have been unable to pay the remaining amount, which is obligatory. What is my duty?

A: If, during this period, you were genuinely unable to pay—even partially—you should pay the remaining amount according to your financial ability at the earliest opportunity. However, if you had the means to pay but failed to do so for any reason, you must also compensate for the decrease in the value of the unpaid amount [due to inflation or depreciation].

Q265: In 1368 (HS) (1989), I consulted one of your esteemed authorized representatives to calculate my Khums, and I paid part of the amount owed at that time, but I have not paid the remaining amount since then. This year, I am to perform ḥajj al-tamattuʿ. Should I pay the remaining amount based on its value at that time, or should it be calculated based on today's rates? What is my duty?

A: The remaining amount must be paid based on its current value.

Q266: I had set aside some money to purchase a carpet and another amount to pay the installments for my house. My Khums year has now passed. Should I also calculate Khums on these amounts?

A: A delay in the payment of Khums is permissible if the expenses are customarily considered necessary living expenses (maʿūnah) for the same year. For example, if today is your Khums due date and you need to purchase something essential for your living or pay off a debt, you are allowed to make the purchase or pay the debt before paying the Khums.

Setting Aside Khums

Q267: If someone's Khums year has arrived, is it permissible to set aside the Khums from

his profit and keep it for a short period (e.g., two weeks) until meeting your authorized representative?

A: If it is possible to deliver the Khums to the marjaʿ or his authorized representative, merely setting aside the amount of Khums does not justify delaying its payment. It should be paid at the earliest possible opportunity.

Q268: At the beginning of my Khums year, I set aside my Khums, but I used some of them with the intention of replacing them later. What is my obligation?

A: In general, the obligation to pay Khums is not fulfilled merely by setting it aside. The Khums must be paid to the marjaʿ or his authorized representative at the end of the Khums year.

Q269: Last year, I set aside some money for Khums with the intention of delivering it to your office in Qom. However, I used this money as a deposit for a real estate transaction in my hometown. Does this money still count as Khums-liable funds, and do I need your permission to make this transaction?

A: The mentioned transaction is valid and does not require specific permission. However, you must pay the mentioned amount at the earliest opportunity, considering the depreciation of money's value.

Separate Payment of Khums on Each Income

Q270: Is it valid to pay Khums on each income immediately upon earning it so that I do not need to determine a Khums year? Does this approach suffice for Khums?

A: There is no problem with this approach, and it suffices for the obligation of Khums.

Q271: Can I set a separate Khums year for significant income earned near the end of the Khums year?

A: The Khums on this income must be paid by the end of your Khums year. However, if the money is used for necessary living expenses (maʿūnah) within five days after the due date of the Khums year, Khums does not apply to this amount. Additionally, if you set aside a portion of the money for unforeseen circumstances, and if the remaining amount is insufficient to meet your needs and does not alleviate your concerns, this portion is also exempt from Khums.

The Areas in Which Khums Is Spent and the Individuals Entitled to It (Mustaḥiqqūn)

Khums consists of two equal portions: one portion is designated for the Imam's share (sahm al-Imām ('a)), and the other portion is allocated for the sayyids' share (sahm al-sādāt). The areas in which Khums is spentwill be elaborated upon subsequently; however, it is to be noted that, generally speaking, khums should be submitted to the office of the religious authority (marja') or his authorized representative.

The Authority (Marjaʿ) in Charge of Khums or (Walī Amr of Khums)

Khums must be delivered to the authority (marja') in charge of khums (walī amr of khums), even if through an intermediary, and a receipt stamped with his seal should be obtained. In this regard, there is no distinction between the share of the Imam (a.) and the sayyids' share.

In general, the allocation of khums—whether from the sayyids' share or the share of the Imam ('a)—must be conducted with the permission of the authority (marjaʿ) in charge of khums (walī amr of khums).

Payment of Religious Dues to Individuals Other than the Authority (Marjaʿ) in Charge of Khums(Walī Amr of Khums).

Q272: Considering the honorable view of the late Imam Khomeini (q.) and that of yours and of some other mujtahids that khums should be paid to the leader of Muslims, what is the ruling of paying such things to a person other than the leader of Muslims?

A: If those who follow one of the marji's (May Allah maintain His blessings on them) act according to the fatwā of their own marji's in this regard, it will suffice to discharge their obligation.

Renewal of Authorization from a Living Marjaʿ

Q273: If someone has been authorized to collect Khums by a previous marja', is it necessary for him to obtain authorization from you (the Supreme Leader) as well?

A: Yes, obtaining authorization is necessary.

The Share of Imam ('a) (Sahm al-Imām) of Khums

Q274: Is it necessary to obtain authorization from a Mujtahid one follows in taqlīd to allocate the share of the Imam ('a) for charitable acts, such as for an Islamic seminary or an orphanage, or is the authorization from any Mujtahid sufficient? In principle, is authorization from a Mujtahid obligatory?

A: In general, the allocation of khums—both the share of the Imam ('a) and the sayyids' share—is under the authority (marja') in charge of khums (walī amr of khums), and any allocation must be conducted with his permission.

Q275: Can a mukallaf directly pay all or part of his khums to the needy—whether they are sayyids or non-sayyids?

A: It is not permissible without permission from his marja‘ al-taqlīd.

Q276: Do religious tithes (e.g., khums, repaying al-maẓālim and zakāt) fall under the government's jurisdiction? Can a person liable to khums give the sayyids' share of khums, repaying al-maẓālim and zakāt to the deserving persons?

A: As far as zakāt and al-maẓālim are concerned, he himself is allowed to give it to any needy individual who is religious and modest, although there is a caution to give it with the permission of ḥākim of shar‘. As for the khums, it is obligatory to give it to one of our offices or to one of our authorized representatives (attorneys) to use it in an area allocated by shar‘. Otherwise, he should ask permission to give it to deserving persons.

Q277: Some people take responsibility for paying some sayyids' electricity and water bills. Is it possible to include them in one's annual khums account?

A: It should be paid after securing permission from our office or our attorney (wakīl). As to your previous payments, you may consult one of our offices.

Q278: Is it permissible to allocate khums to public schools?

A: It is recommended that acts of charity, alms, and the believers' generous contributions be utilized for such affairs.

Q279: Is it permissible to use the Imam's share of khums to buy and distribute Islamic books?

A: In general, the allocation of Khums, including the Imam's share of khums, must be carried out with the permission of the authority (marja‘) in charge of khums (walī amr of khums).

Q280: I owe an amount of money as khums, the portion related to the Imam's share, which I should transfer to you. However, there is a masjid in need of some money. Can I forward it to the imam of that masjid so that it may be used for its completion?

A: For such affairs, it is recommended that you should use the believers' generous contributions.

Q281: Taking into consideration that during his life, our father would not have paid khums in full and we have granted a piece of his land as a gift for the construction of a hospital, is it permissible to count that land as part of the khums paid on the deceased's property?

A: That land cannot be counted as part of the khums paid on the deceased's property.

Sayyids' Share (Sahm al-Sādāt) of Khums

Q282: I secured permission from one of your authorized representatives to deliver an

amount from the sayyids’ share to one of the familiar Sayyids. I would be grateful if you could guide me on the conditions for this.

A:

1. **The poor sayyid should not be someone whose maintenance (nafaqah) is obligatory for you.**
2. **He must be a legal (sharʿī) poor sayyid, meaning that his annual income is insufficient to cover his living expenses. If it becomes clear that he is not poor, your payment will not be permissible, and the amount should be paid to a legal (sharʿī) poor sayyid.**
3. **The amount from the sayyids’ share must be handed over directly to the poor sayyid. Converting it into goods or commodities is not permissible unless there is permission from the poor sayyid to whom you intend to deliver it.**
4. **The poor sayyid who receives the khums must be a Twelver (Ithnā ʿAsharī) Shia.**

Q283: Does a sayyid who has a job and earns for himself have the right to receive khums?

A: If, in such cases, he cannot afford his living expenses in a usual manner and in accordance with his social status and in the common view and he is considered poor, he has the right to receive khums.

It is to be noted that it is permissible to pay kaffārah (giving recompense for a sin), radd al-maẓālim (settlement of certain unknown debts by ṣadaqah), and alms to the poor (ṣadaqah) – whether recommended (mustahabb) or obligatory (wājib), which become obligatory through a vow (nadhr), a will (waṣiyyah), and similar means—to poor sayyids.

Q284: Is one permitted to use sayyids’ share of the khums for a good deed like the marriage of a sayyid?

A: The amount you are permitted to pay the sayyids must be delivered in cash unless the poor sayyid for whom you intend to use that amount has authorized you.

Q285: Is one, after obtaining permission from the authority (marja‘) in charge of khums (walī amr of khums), permitted to give the sayyids’ share of khums to a poor sayyid woman who is married and has children while her husband is not a sayyid but poor? Can she spend this money on the children and her husband?

A: If she is poor, it is permissible to pay her the share of Sadat with permission from the authority (marja‘) in charge of khums or his authorized representative. She may use it for purposes outlined in the question.

Q286: A sayyida whose husband has passed away and whose father is negligent in providing for her family's expenses, while the people in the region regard her father as a wealthy but

miserly person. Is it permissible to pay her the sayyids' share equivalent to the obligatory maintenance (nafaqah)? Supposing that the father says, "I am only obligated to cover the costs of clothing and food and not the other expenses such as the woman's items or the daily allowances for children." In this case, is it permissible to allocate the sayyida and her children the sayyids' share in an amount sufficient to meet their needs?

A: In any case, if she is poor, it is permissible to allocate the sayyids' share to her with permission from the authority (marja‘) in charge of khums or his authorized representative. She may use this share to cover her basic living expenses.

Paying Khums to Poor Parents or Children

A Mukallaf (a person obliged to fulfill religious duties) cannot pay any part of his khums to his dependents, such as parents, grandparents, children, or grandchildren, whom you must provide their maintenance.

Q287: I am a 25-year-old employee, and so far, I have remained unmarried, living with my parents. My father is an elderly, disabled man with no income, and for the past four years, I have been covering all living expenses. Considering that I cannot both pay the annual khums on my income and cover the living expenses and that I owe 19,000 tomans from the previous year's khums, which I have noted down to pay later, I would be grateful if you could explain whether it is permissible to give the khums of my annual income to my parents?

A: It is not permissible to pay the Khums to your parents, for whom you should provide their maintenance. As long as you have financial capability, you are obligated to cover their expenses throughout the Khums year.

Q288: Is a sayyid permitted to help his children from the sayyids' share?

A: If a sayyid has dependents who are sayyid he must maintain, he cannot give his khums to them, even if it is for non-obligatory expenses.

Khums to Related Issues Miscellaneous

Disposal of the Property Subject to Khums

Q289: Is the heir obligated to pay Khums on inherited property with unpaid Khums?

A: Generally speaking, any unpaid Khums owed by the deceased is considered one of the debts that must be settled before the division of the inheritance.

Q290: My father transferred the title of a piece of land to my name while he was still alive. After his death, I inherited it. Considering that my father stipulated in his will that Khums should be paid on his property, is it obligatory for me to pay the Khums on this land?

A: If your father made a will regarding the payment of Khums on this land, first, the will must be executed, and then the land will be inherited by the heirs. However, if during his lifetime he transferred ownership of the land to you and you took possession of it while it was subject to Khums, the gift (hibah) is valid, but the Khums on it—like other debts of the deceased—must be paid before the heirloom is distributed.

Q291: If a person passes away while he is liable for Khums, and some of the heirs refuse to settle the Khums and insist on distributing the inheritance, what is the ruling?

A: If the deceased has made a will regarding the payment of Khums, or if the heirs are sure that there is an outstanding Khums debt, the heirs are not permitted to take possession of the inheritance until the Khums debt of the deceased is settled. However, they may proceed if determined to pay it without any negligence.

Q292: What is his duty if an heir knows that the deceased was liable to pay Khums and it has not been paid before the inheritance is distributed? What is the ruling if they have already taken possession of or conducted a transaction with the inheritance before paying the Khums?

A: The heir must pay the deceased's Khums debt in proportion to his share of the inheritance. For example, if he has inherited one-tenth of the deceased's property, he must pay one-tenth of the deceased's unpaid Khums. His past transactions related to the inheritance are valid, and there is no problem if he has already taken possession of it.

Socializing with One Who Does Not Pay Khums

Socializing with someone who does not pay Khums is permissible as long as it does not imply approval of his action. However, if the conditions for forbidding evil (al-amr bil-maʿrūf) are met, one must forbid them from neglecting this obligation, even if this necessitates temporarily avoiding interaction with them.
Using the property of someone who neglects to pay Khums is permissible, even if one is sure that the property being used is subject to Khums.
If the head of a household does not pay Khums, although they are sinning, it is still

permissible for family members to use his property.

Q293: I am sure that my father does not pay Khums, and when I remind him, he responds by saying that we are entitled, and Khums is not obligatory upon us. Is it permissible for family members to use the items and food he provides?

A: Broadly speaking, it is permissible for others to use the property of someone who does not pay Khums.

Q294: What is the ruling on socializing with Muslims who are not observant of religious duties, particularly prayers (ṣalāh) and Khums? Is it permissible to eat at their homes? If it is impermissible, what is the ruling for someone who has done this several times?

A: Generally speaking, using the property of those who do not pay Khums is permissible. However, if socializing with them implies endorsing their indifference to religions matters, or if avoiding such interactions temporarily is necessary to fulfil the obligation of enjoining good (al-amr bil-maʿrūf) and forbidding evil (al-nahy ʿan al-munkar), one must refrain from associating with them.

Dealing with One Who Does Not Pay Khums

Buying, selling, conducting transactions, and entering into partnerships with someone who does not pay Khums is permissible and valid. However, performing enjoining good (al-amr bil-maʿrūf) and forbidding evil (al-nahy ʿan al-munkar) is obligatory when the required conditions for this obligation are met.

Q295: We engage in transactions with people who do not pay Khums or lack an annual Khums account. We also buy, sell, visit, and eat with them. What is the ruling on this issue?

A: You have no obligation except to enjoin them the good and forbid them evil.

Q296: If a buyer knows that the item he has purchased is subject to Khums and the seller has not paid it, is it permissible for the buyer to use it?

A: It is permissible.

Q297: What is my obligation if my business partners do not maintain an annual Khums account?

A: Each partner is responsible for calculating and paying Khums on his share; others are not obligated to do that.

Q298: In a partnership where several people are involved, must each partner pay Khums individually on their income, or can Khums be paid collectively from their shared funds?

A: In partnerships with individual ownership, each partner is responsible for calculating and paying Khums on his share of the partnership and its income.

Property Liable for Khums Based on a Previous Marjaʿ's Fatwā

Q299: I used to receive gifts and prizes that, according to the fatwāof the previous authority (marja‘) in charge of Khums (walī amr of Khums), were subject to Khums. However, I have not paid them yet. As a follower of Your Eminence, am I obligated to pay Khums on these?

A: It is not obligatory for you to pay Khums on them.

300: Imam Khomeini's fatwā states that the Khums on maʾunah must be paid immediately after the sale. For the years I followed him, I was unaware of this fatwā and did not act on it. I have followed Your Eminence for several years, keeping an annual Khums account and trying to pay my Khums in full. I would be grateful if you could absolve me of any liability for the years I followed Imam Khomeini (q.) and did not fulfill this obligation.

A: You have no obligation regarding those.

Subtracting Excess Khums Paid as a Current Liability

Q301: If I previously paid Khums on a property that was not liable for it, can I use that payment for the Khums I currently owe?

A: You should seek guidance on this issue from our Office of Religious Dues and Legal (Shar‘ī) Rulings.

Q302: If someone has paid extra Khums in a Khums year, can he count that amount towards the Khums in subsequent years?

A: You should seek guidance on this issue from our Office of Religious Dues and Legal (Shar‘ī) Rulings.

Getting Religious Dues Back After Payment

Q303: If a mukallaf pays an amount of obligatory religious dues to a designated place or individual with the permission of his marjaʿ, can he later reclaim it for any reason?

A: He cannot reclaim it without the permission of his marjaʿ.

Q304: I mistakenly paid an amount as Khums, later realizing that I was not obligated to pay it. Can I reclaim it?

A: You should consult one of our offices or authorized representatives (wakīl).

Payment of Khums without the Intention to Attain Proximity to Allah (Qaṣd al-Qurbah)

Q305: If someone pays Khums without the intention to attain proximity to Allah (qaṣd al-qurbah), does this payment absolve him of his responsibility?

A: Paying Khums without the intention of qurbah (proximity to Allah) absolves him of his responsibility.

Payment of Khums on Behalf of Another Person

Q306: Is it permissible for someone to pay Khums on behalf of another person?

A: There is no objection to this.

Appointing Others as an Attorney to Pay Khums

Q307: A person has distributed his land among his children and informed them that he has not paid the Khums on the land. He has stipulated that each child must pay the Khums on their share of the land. If the children do not pay the Khums, does this absolve the person of his responsibility?

A: The person is not absolved of his responsibility.

Q308: I owe an amount to a creditor who has asked me to pay the debt as Khums to the office of his marjaʿ. However, I currently cannot afford to pay the full amount. Can I pay it gradually based on what I can afford?

A: A creditor who owes Khums must pay it without delay and at the earliest opportunity if he is capable. He cannot delegate the payment of Khums to someone who lacks the ability to pay. Otherwise, the obligation of Khums remains on the creditor, and he is not absolved of his responsibility until it is paid.

Paying Khums through a Bank

Q309: I have determined an amount as Khums, but transferring and delivering the exact amount to Your Eminence or your office is difficult. Can I send it via a bank, given that the money received from the bank is not the same as the money deposited in my city?

A: There is no objection to this.

Forgiveness and Settlement (Muṣālaḥah) of Khums

Q310: In what cases is it permissible to forgive Khums?

A: Khums cannot be forgiven.

Q311: I have decided to marry and have invested part of my capital with a university to generate income. Is it possible to arrive at a settlement (muṣālaḥah) concerning the Khums on this capital?

A: Definitive Khums cannot be forgiven or made muṣālaḥah.

Location for Paying Deferred Khums Amount

Q312: It has been said that the Khums amount calculated in a specific office, for which a delay in payment was granted, must later be paid to the same office. Can it instead be paid to any of your authorized representatives in the provinces?

A: It is valid to pay it to our office or to any of the authorized representatives in charge of religious dues.

Loss of Khums Amount in the Hands of an Intermediary

Q313: If someone gives an amount as Khums to another person to deliver it to the office of his marjaʿ, but the money is lost or stolen on the way, who is liable? Does this situation absolve the debtor of responsibility for paying Khums?

A: If the intermediary did not act negligently, he is not liable and does not need to compensate for the lost amount. However, if the intermediary is not an authorized representative (wakīl) of the marjaʿ, this situation does not absolve the debtor of responsibility for paying Khums, and he is obligated to pay it.

Paying Khums When It Prevents Ḥajj Obligation

Q314: If a person has been able (mustaṭīʿ) to go for ḥajj al-tamattuʿ but his Khums year arrives before he registers for ḥajj, and paying the Khums would leave him unable to afford the registration, is Khums applicable to his property? Does this situation absolve him of being able (mustaṭīʿ) to go for ḥajj?

A: Paying Khums at the end of the Khums year is obligatory. If ḥajj has not previously become obligatory for him, and if he is no able (mustaṭīʿ) to go for ḥajj by paying Khums, ḥajj is not obligatory for him.