

COUNSELING ABOUT ZAKAT AS A REDUCTION OF TAXABLE INCOME

Elis Teti RUSMIATI

Universitas Prof. Dr. Moestopo (Beragama)

elistr@dsn.moestopo.ac.id

ABSTRACT

Zakat and taxes are two different obligations that must be carried out by Muslims in Indonesia. Zakat is a manifestation of obedience to religion, while taxes are obedience to the state. To reduce this double burden, the government enacted Law Number 23 of 2011 concerning Zakat Management which states that zakat paid can be deducted from taxable income. However, this law is not so popular that not many people take advantage of the ease of its impact. Most people do not understand well the existence of regulations that stipulate that the income zakat that has been paid can be a deduction from gross income in the calculation of income tax. The focus of this community service activity (PKM) is to provide understanding to the community about these provisions so that they can take into account zakat in determining taxable income, which will then indirectly reduce the taxes that must be paid. The stages in this PKM activity are: 1) Field research. 2) Preparation of activity plans, 3) Counselling, 4) Evaluation. The results of the activity indicate a change in participants' understanding of zakat as a deduction from taxable income, which can be seen from the indicators on the evaluation instrument. The outputs of this community service activity are: 1) publication in journals or proceedings with the aim that the topic of tax deduction zakat is more widely spread and known to the public; 2) the creation of a booklet about zakat as a tax deduction with a simple narration and attractive and easy-to-understand pictures. These two forms of output are expected to be able to help socialize so that the topic of tax deduction zakat is increasingly popular.

Keywords: Zakat, Taxes, Obligations, Religion

1. BACKGROUND

The issue of zakat and taxes has always been an important discussion in the community. The problem concerns the existence of dual obligations that must be fulfilled by Muslims: zakat as a form of obedience to religious orders, and taxes as obedience to the state. This condition creates problems because it results in twice the expenses that must be set aside from income. In addition, the two types of obligations also give the impression that religious affairs are completely separate from state affairs.

On the other hand, zakat and taxes are needed by the state for development. In Indonesia, the source of revenue for state management is mostly taken from taxes. However, the level of taxpayer compliance has not yet reached the target set by the government even though the pulse of Indonesia's development comes from the State Budget (APBN), 76% of which is supported by tax revenues.

Zakat in the teachings of Islam is an individual obligation that has been outlined in the holy book of the Qur'an. In Islamic history, it is known that zakat is one of the sources of state income that has existed since the beginning of the Islamic reign. The Caliph (Islamic leader) who is known to carry out reforms in the management of zakat is Umar bin Abdul Azis (717-720 AD). In its time, the zakat system and management were handled very professionally. The types of assets and assets that are subject to zakat are also increasingly diverse.

The government has made several efforts to increase the level of taxpayer compliance, including through Law No. 23 of 2011 on Zakat Management. Article 22-23 of the Law explains that the zakat paid is deducted from taxable income, or that proof of zakat deposit can be used as a deduction from taxable income. This policy also has an impact on the birth of relief for Indonesian Muslims to reduce expenses from two obligations.

However, after 8 (eight) years running, this government policy does not have a significant impact on tax revenues and many people are not aware of this policy. The results of the author's research (2019) found the facts: 1) There is still a lack of understanding of taxpayer regulations on the rules and conditions that must be met so that zakat can be a tax deduction. 2) lack of information about institutions established and ratified by the government as zakat bodies. 3) people want a practical way to pay their zakat, namely to mosque administrators or to institutions outside the government-sanctioned institutions which they believe can distribute their zakat appropriately.

From the facts found in the results of the author's research, it is very relevant to carry out community service activities by providing counseling related to the implementation of Law No. 23 of 2011 concerning Zakat Management which focuses on articles 22-23 that zakat paid is deducted from taxable income, or that proof of zakat deposit can be used as a deduction from taxable income.

In religious societies, especially in Indonesia, the urge to enforce religious rules is stronger than state regulations, especially tax obligations. The obligation to pay zakat for a Muslim is absolute because it is part of carrying out the Pillars of Islam. In other words, zakat is a binding obligation individually. In a condition where the majority of Indonesia's population is Muslim, incorporating the element of zakat as a source of encouragement for the taxpayers is very appropriate to do. Thus, outreach activities on the implementation of zakat as a tax deduction are very important.

Zakat is a property that must be issued by a Muslim or business entity to be given to those who are entitled to receive it in accordance to Islamic law. Zakat, which is

believed to be an effort to purify oneself, must be carried out by someone who has reached the nishab (a certain limit according to the provisions of Islam). The legal basis for zakat is the Qur'an letter At-Taubah (9) verse 103: Take zakat from some of their property, with that zakat you clean and purify them.

In Islam, zakat has two values or meanings. First, the value of self-servitude to Allah (mahdloh worship) which means by issuing zakat, indicates that a Muslim has proven his obedience to Allah. Second, social value, because the zakat paid is a source in helping the welfare of people in need. Zakat also plays a role in the distribution of the people's economy and also the economic growth of the country.

In general, zakat is divided into two; zakat fitrah and zakat maal. Especially for zakat fitrah, this type of zakat is issued at a certain time, namely in the month of Ramadan with a time limit before the establishment of the Eid prayer. The amount of zakat fitrah issued is equivalent to 3.5 liters of rice or 2.7 kilograms. Second, zakat maal or property zakat. Zakat maal includes zakat on professions, livestock products, plantations, gold, or currency. The calculation method is adjusted to the type of zakat maal issued. Zakat maal can be issued at any time.

The legal basis that issuing zakat can reduce taxes is Law (UU) no. 23 of 2011 articles 22 and 23 paragraphs 1-2. The rules read:

- Article 22: Zakat paid by muzaki to BAZNAS or LAZ is deducted from taxable income.
- Article 23: Baznas or LAZ are required to provide proof of zakat deposit to each muzaki (zakat giver), and this evidence is used as a deduction from taxable income.

The purpose of enacting this rule is so that Muslims who want to issue zakat is not subject to a double charge or double burden. In addition, this regulation encourages Muslims to remain religious and also encourages the humanitarian aspect.

The rules for tax deduction zakat are also confirmed in Law Number 36 of 2008 the Fourth Amendment to Law Number 7 of 1983 concerning Income Tax, article 4 paragraph (3) letter a 1 states:

What is excluded from the tax object is aid or donations, including zakat received by amil zakat agencies or amil zakat institutions established or legalized by the government and received by eligible zakat recipients or religious donations that are mandatory for adherents of a recognized religion in Indonesia. received by a religious institution established and ratified by the government and received by the recipient of the rightful donation, the provisions of which are regulated by or based on a Government Regulation.

Furthermore, in Article 9 paragraph (1) letter G, it reads: To determine the amount of Taxable Income for a resident Taxpayer and a permanent establishment, it may

not be deducted from the assets that are donated, assistance or donations, and inheritance as referred to in Article 4 paragraph (3) letter a and letter b, except for donations as referred to in Article 4 paragraph (3) letter a and letter b. Article 6 paragraph (1) letter 1 to letter m as well as zakat received by the amil zakat agency or amil zakat institution established or legalized by the government or religious donations that are mandatory for adherents of a recognized religion in Indonesia, which are received by a religious institution authorized by the government. formed or ratified by the government, the provisions of which are regulated by or based on a Government Regulation.

Provisions on zakat can reduce taxable income in accordance to PP. 60 of 2010. The requirements for zakat that can be calculated as income tax deductions are based on Law no. 36 of 2008, are 1) zakat which is obligatory, 2) zakat is paid through a zakat recipient body or institution established and ratified by the government.

The provisions regarding the zakat recipient institutions are regulated in the General Director of Taxes Regulation Number PER-05/PJ/2019. Not only stipulating zakat for Muslims, General Director of Taxes also regulates other similar institutions for people who embrace Catholicism, Christianity, Buddhism, and Hinduism.

Regarding the technique of applying tax-deductible zakat, it has been regulated in the Directorate General of Taxes (DGT) regulation number PER-06/PJ/2011 concerning the Implementation of Payments and Making Proof of Payment for Zakat, Article 2 which reads:

- (1). Taxpayers deducting obligatory zakat or religious donations as referred to in Article 1 are required to attach a photocopy of proof of payment to the Annual Income Tax Return (SPT) for the tax year for which zakat deductions or religious contributions are obligatory.
- (2). Proof of payment as referred to in paragraph (1): in the form of proof of direct payment or bank account transfer or payment through Automated Teller Machines (ATM).

Proof of payment must contain: 1) Full name of the taxpayer and taxpayer identification number, 2) Amount of payment, 3) Date of payment, 4) Name of zakat agency; amil zakat institution; or a religious institution established and ratified by the government, 5) Signature of the amil zakat agency official; amil zakat institution; or religious institutions established or legalized by the government on proof of payment if payment is direct, 6) Validation of bank officers on proof of payment if through bank account transfer.

Thus, the zakat paid cannot be deducted from gross income if 1) It is not paid by the taxpayer to the zakat amil body; amil zakat institution; or a religious institution established or legalized by the government, 2) Proof of payment does not meet the requirements as mentioned above.

If you have paid zakat and have evidence following the provisions in the regulations, then you can attach it at the time of the Annual Tax Return (SPT) report in the tax year when zakat is paid. Zakat in the SPT will also determine net income.

2. METHOD

The implementation of this activity goes through 4 stages, namely:

- 1) Develop an activity plan. In this stage, coordination with related parties is carried out, and make an activity plan.
- 2) Preparation of activities. In this stage, carrying out activities, namely making invitations for participants and mapping the initial abilities of participants using data from the author's Research Results Report.
- 3) Implementation of Activities, namely counseling on the Application of Tax Deduction Zakat. Before starting the material, participants were asked to fill out a pre-test to further ensure their initial knowledge about the Application of Tax Deduction Zakat.
- 4) Activity Evaluation. In this stage, participants were asked to fill out a post-test to measure changes in their knowledge and understanding of the extension material.

The plan for the activity can be seen in table 1.

Table 1. Activity Stage Plan

No.	Description of activities	Involvement in activities	
		Lecturer	Community
1.	Developing plan activity		
	Research	Doing independent research as the task of the three pillars of higher education.	Assisting the research through interviews and provide access to observations.
	Coordination	Coordinating with local government (Lurah, Head of RT/RW).	Community helps activities.
2.	Activity Preparation		
	Creating invitations for participants.	Lecturer makes invitations.	Community helping to share the invitations.
	Mapping the research results to determine the form of activities needed by the community.	Formulating the tools to measure participants' abilities.	Communities providing time and place for activities.
3.	Implementation		
	Measuring participants' initial abilities.	Distributing pre-test question sheets related to the theme of the counseling.	Filling sheet question.
	Counseling	Providing learning material and discussing it	The community take up the counseling
4.	Evaluation	Guiding the filling of the evaluation sheet	fills out the evaluation sheet

As for assessing the success of the activity, it can be seen from the following indicators as shown in table 2.

Table 2. Activity Success Indicators

No.	Indicator	Before	After
1	Knowledge of zakat	60% of the participants know about zakat fitrah and zakat maal	100 % of the participants know about zakat fitrah and zakat maal
2	Knowledge of zakat as a tax deduction	20% of participants know about zakat as a tax deduction	100% of participants know about zakat as a tax deduction
3	The practice of calculating zakat as a tax deduction	None of participants understand the practice of calculating zakat as a tax deduction	70% of participants understand the practice of calculating zakat as a tax deduction

3. RESULTS AND DISCUSSION

This Community Service Activity is a follow-up to the author's research report entitled Repositioning Taxpayers through Zakat Payers: Analysis of the Implementation of Law Number 23 of 2011 concerning Zakat Management. From the results of the study, it is known that the implementation of the policy on Zakat for Tax Deduction has not been maximized. The results of the study indicate the fact that the majority of people do not understand the existence of this policy so that they do not know or even apply the Tax Deduction Zakat. On this basis, Community Service activities are carried out which are focused on how to introduce and provide a good understanding of the application of Tax Deduction Zakat.

From here, start planning activities. The author coordinates with related parties, namely employees of the Kutabaru village, Pasar Kemis District, Tangerang Regency, Banten Province, the place where this activity is carried out. The participants of the activity consisted of 24 people, consisting of the administrators of the Mosque Welfare Council (DKM) who are usually tasked with accommodating and managing zakat payments, and people from several local RT/RW.

The next activity is to map the participants' initial abilities using data from the author's Research Results Report. The result becomes the basis for determining the material in the manufacture of extension modules.

During the implementation of the activity, before the delivery of the material, a pre-test was conducted to further ensure the participants' knowledge and understanding of the Application of Tax Deductible Zakat. In addition, it is important to measure indicators of changes in participants' understanding before and after participating in the activity.

Submission of material in this counseling activity was delivered using the andragogy method which involved participants as adults into a structure of learning experience. The participants' involvement in this andragogy method

is reasonable: 1) Experience (including the experience of making mistakes) becomes the basis for learning activities (the concept of experience), 2) Adults are most interested in learning subjects that have direct relevance to their work or personal life (Readiness to learn), 3) Learning for adults is more centered on the problem than on its content (Learning orientation).

At the end of the material, participants were allowed to ask questions and discuss, to sharpen their understanding of the extension material.

At the Activity Evaluation stage, participants were again given a question sheet (post-test) with the same questions as in the pre-test. By calculating the difference in scores obtained by participants on the pre-test and post-test sheets, it can be seen how much change in the increase in knowledge and understanding of participants after participating in this counseling activity.



Figure 1. Counseling Activities

CONCLUSION

Based on the activities that have been carried out, the authors conclude that the PKM activity entitled Counseling on Zakat as a Deduction for Taxable Income is very important, it can be seen from the enthusiasm of the participants during the activity. Knowledge of Zakat as a Tax Deduction is needed by the community, especially Muslims so that when issuing zakat they are not subject to a double charge. In addition, this regulation encourages Muslims to remain religious on the one hand and also encourages the humanitarian aspect on the other.

Participants' knowledge and understanding of Zakat as a Tax Deduction increased significantly. This can be seen from the indicators shown by the question sheet instruments filled out by participants before and after attending the counseling.

REFERENCES

- Albani, M. N. (2002). *Islam Mengentaskan Kemiskinan: Tinjauan Kritis, Analisis tentang Hadits Ekonomi*. Jakarta: Pustaka Azzam
- Az-Zuhaili, W. (2011). *Fiqh Islam Wa Adillatuhu 3*. (B. Permadi, Ed., & d. Abdul Hayyie al-Kattani, Trans.) Jakarta: Gema Insani.
- Bayu Tjahyono, Mochammad, *Sudah Cukupkah Kepatuhan Pajak Kita?* <http://www.pajak.go.id/article/sudah-cukupkah-kepatuhan-pajak-kita> Diunduh Jumat, 20 April 2018, 22.13 WIB
- Departemen Agama RI. (2015). *Al-Qur'an dan Terjemahan*, Bandung: CV Darus Sunnah
- Fatwa Majelis Ulama Indonesia Nomor 3 Tahun 2003 Tentang Zakat Penghasilan
- Muktiyanto, A., dan Hendrian. 2008. *Zakat Sebagai Pengurang Pajak*. Organisasi dan Manajemen, Vol. 4, No. 2, hlm: 100-112
- Peraturan Pemerintah No. 60 Tahun 2010 tentang Zakat atau Sumbangan Keagamaan yang Sifatnya Wajib yang Boleh Dikurangkan dari Penghasilan Bruto
- Peraturan Direktorat Jenderal Pajak (DJP) nomor PER-06/PJ/2011 tentang Pelaksanaan Pembayaran dan Pembuatan Bukti Pembayaran atas Zakat atau Sumbangan Keagamaan yang Sifatnya Wajib yang Dapat Dikurangkan dari Penghasilan Bruto
- Peraturan Direktur Jenderal Pajak Nomor PER-15/PJ/2012 tentang Perubahan Peraturan Direktur Jenderal Pajak No. PER-33/PJ/2011 tentang Badan/Lembaga yang Dibentuk atau Disahkan oleh Pemerintah yang Ditetapkan Sebagai Penerima Zakat atau Sumbangan Keagamaan yang Sifatnya Wajib yang Dapat Dikurangkan dari Penghasilan Bruto
- Qardhawi, Y. A. 1999. *Hukum Zakat*. Jakarta: Litera Antamusa
- Teti Rusmiati, Elis. 2021. *Laporan Hasil Penelitian Tinjauan Islam tentang Kerjasama Bagi Hasil Pertanian pada Masyarakat Terdampak Pembangunan Waduk Jatigede Sumedang*. <https://repository.moestopo.ac.id/index.php/UPDM>
- Undang-Undang Nomor 36 Tahun 2008 Tentang Pajak Penghasilan (PPh)
- Undang-Undang Nomor 23 Tahun 2011 Tentang Pengelolaan Zakat.
- Undang-Undang No. 17 Tahun 2000 tentang Perubahan Ketiga atas UU No. 7 Tahun 1983 tentang Pajak Penghasilan
- Undang-Undang No. 36 Tahun 2008 tentang Perubahan Keempat atas UU No. 7 Tahun 1983 tentang Pajak Penghasilan
- Wijaya, E. (2012, Nopember 4). *Tinjauan Singkat Pajak dan Zakat*. Retrieved Oktober 24, 2014, from Website Direktorat Jenderal Pajak Republik Indonesia: <http://www.pajak.go.id/content/article/tinjauan-singkat-pajak-dan-zakat>