

Department of
Social Development



بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

حم عشق



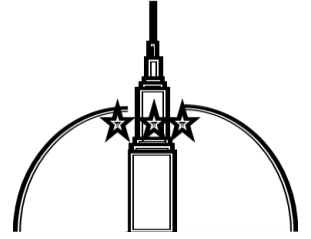
واعتصموا بحبل الله جميعا ولا تفرقوا انما يخشى الله من عباده العلماء

المجلس الأعلى الإسلامي جنوب افريقيا

MUSLIM SUPREME COUNCIL OF SOUTH AFRICA

(MUSCOOSA)

EST 2014 REG No. K2015228144/08



DEPARTMENT OF SHARIA

OFFICE OF THE GRAND MUFTI

OF SOUTH AFRICA

REG NO. 156-989 NPO

NATIONAL EXECUTIVE COUNCIL (NEC)

REGULATION POLICY OF THE REPUBLIC OF SOUTH AFRICA 2016

FOR ADMINISTRATION OF ISLAM AND MUSLIM AFFAIRS

and DEVELOPMENT OF HUMAN AFFAIRS

MANDATE

In His Name Allah (God) The Almighty Most Gracious The Compassionate (ARahman Raheem) who established Islamic faith By sending our Master Sacred Arch Angel Gabriel "Aleih Salaam: Peace Be Upon Him" to all Sacred prophets including Ibrahim(Abraham), Musa (Moses) and His brother Harun (Aron), Dawud (David) and His Son Sulaiman (Solomon), Zakariy and His son Yahya (John) Isa (Jesus) with His Mother Mariam (Mary) aleihim salaam (peace be upon them all) and lastly Our Master sacred Prophet Muhammad " Sallah llah aleih wasallama: peace and blessings be upon Him" Sent To All People Of The World As Mercy To The Entire Creation By The Revelation Of The Holy Quran As Light To Mankind.

And The constitution of the Republic of South Africa (RSA) in accordance with establishment of Muslim Supreme Council of South Africa (MUSCOOSA) founded in accordance with section 21 Company Act of 2008 as Non Profit Company (NPC), Chapter 2 Section 3 Non-Profit Organization (NPO), Chapter 2 section 15 Bills of Rights, National and International Statutory body for Administration of Islam and Muslim affairs of South Africa Accredited by the Government of South Africa as section 19 institution Registered by Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities (CRL) in Accordance with Section 36(1)&(2) of The Commissions Founding Act (No.19 of 2002). Section 77,78 Consumer protection Act 68 of 2008. PBO

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REGULATIONS POLICY OF SOUTH AFRICA 2016 FOR ISLAM AND MUSLIM AFFAIRS PASSED

AT JOHANNESBURG ON 14TH MAY 2016

RULES AND REGULATIONS AS POLICY OF MUSLIM SUPREME COUNCIL OF SOUTH AFRICA (MUSCOOSA) 2016 FOR ISLAM AND MUSLIM AFFAIRS PASSED AT JOHANNESBURG 14TH MAY 2016 , ALSO CALLED MUSOOCSA POLICY 2016.

Article 1: HALAAL

Halaal is an Arabic word that defines everything Permissible according to Islamic faith.

Haraam is the opposite of **Halaal** : everything forbidden not permissible according to Islamic faith.

Halaal Rules and Regulations of Muscoosa Policy 2016

Objective:

To create Transparency governance of Halaal Standards of South Africa that eliminate all forms of corruption and fraud in dealing with Halaal Business by establishing Halaal Bureau that ensures reliable consumer protection as contemplated in the act above and maintains consumer confidence aiming at winning consumer trust.

REGULATED:

- 1. THAT : Halaal** shall and will always be administered as **SOUTH AFRICAN BUREAU OF HALAAL STANDARDS (SABHS) Commission Responsible for Halaal Businesses**
And
SOUTH AFRICAN HALAAL VERIFICATION COUNCIL (SAHVECO) is The Commission Responsible for Halaal Tribunal.

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Both SAHBS AND SAHVECO Operate as Commissions constitute Department Of Halaal of Muslim Supreme Council Of South Africa.

2.THAT:

Only Non-Profit making organizations such as Trusts, Non-Profit Companies (NPC) etc are allowed to deal in the business of Issuing Halaal certificates. No Profit-making entity OR individual is allowed to Issue Halaal certificates for example pty companies, CC etc. Money generated from Halaal certificates are contributions aimed at facilitating Halaal Inspection, stationary in Printing Halaal certificates, Transport coast for officials involved in issuing Halaal certificates, their remunerations, and other costs, but can-not by any means become profit of those involved.

Therefore:

- Profit making entities and individuals who have issued certificates must be incorporated as NPc or Trust, must obtain NPO registration certificates, or get integrated into recognized organizations Issuing Halaal certificates including MJC, SANHA, and NIHT etc.
- Starting 1st July 2016, all Halaal certificates issued by private entities incorporated as pty are INVALID and whoever found with such a Halaal certificate will be penalized according to the laws of dealing with fraud and corruption in the republic of South Africa.
- Non-Profit-Making entities and individuals working for issuing Halaal certificates are not allowed to deal in any Profit making Halaal businesses and Non-Profit Making Halaal Business because they compete with the same business entities and individuals after certifying them hence constitute corruption and fraud.
- Whoever is dealing in Halaal Business must be **Registered with South African Bureau of Halaal Standards (SABHS) and South Africa Halaal Verification Council (SAHVECO).**
- SANHA, MJC, NHIT, ICSA, etc are registered as **Halaal Agents** for Issuing Halaal certificates.

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- **Business entities** are Registered as **Halaal Providers** for Produce of Halaal products, foods, drinks, cosmetics, etc and services including Halaal Hotels, Guest Houses, Hostels, etc
- **Halaal Inspectors** are registered as **Health Inspectors of Halaat** and they must have Registration numbers reflecting on their identification card as Health Inspectors of Halaal , the card is renewable annually at a subscription fee for administration.
- Who-ever is not registered as health inspector of Halaal with health Inspection of Halaal identification card is not allowed to carry out Halaal Inspection from **1st July 2016**.
- **Halaal Consumers** are registered as business entities dealing in public and private event organizers without specific venues, they do not get permanent Halaal Certificate, upon successful Halaal application, they are issued with seasonal Halaal certificate per Event. they use and sale Halaal Products from Halaal Providers. This is also for those who are not Muslims but they want to or they deal in Halaal Business for their Muslim Customers.

CAUTION

If Any Individual or Any Entity is Not Registered as One of Those Four Halaal Categories Above by SABHS, is Not Allowed to Use The Word Halaal On His or Her business, or Any Product, or Service Starting From 1st /July 2016.

If Anyone Caught Using The Word Halaal But Not Registered by SABHS As One of Four Halaal Categories Above Will Be Dealt With Laws Of Fraud And Corruption of the Republic Of South Africa.

Article 2 : QURBAN

Qurbani is Ritual Slaughtering of Animals by Muslims as sacred act of worship according to Islamic faith.

Qurban Rules and Regulations of Muscoosa Policy 2016 (KEEP OUR CITY CLEAN)

Rules and Regulations made in accordance with the constitution of South Africa, Act of MUNICIPAL COUNCILS AUTHORITY that maintains health and cleanliness of towns and cities, and above act of consumer Protection.

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The objective:

To control disposal of animal PRODUCTS ,WASTES and SKINS RITUALLY slaughtered seasonally and ANNUALLY BY MUSLIMS called QURBAN in the 12th month of the Islamic Calendar called Dhul-hijj.

We have observed that there is disposal of animal wastes and skins on streets from animals ritually slaughtered annually by MUSLIMS making our cities and towns dirty and smelling, when us MUSLIMS ritually slaughter animals for Eid celebration that takes place TWICE annually.

Muslim Supreme Council of South Africa (MUSCOOSA) working with Municipal Council Authority is taking immediate action that is needed to control disposal of animal wastes and skins from Qurbani to keep our cities healthy and clean and to maintain that cleanliness Regulations:

1. Animals ritually slaughtered annually by MUSLIMS called Qurbani must be slaughtered only in designated places prior arranged by Municipal Council Authority in Coordination with Muslim Supreme Council of South Africa (MUSCOOSA). May be private places or public places.
2. Private designated places allocated for Qurbani by individual person(s) or entity(s) must be endorsed by Municipal Council Authority.
3. Public designated places for Qurbani must only be places allocated by Municipal Council Authority.
4. Public and private designated places for animals ritually slaughtered annually (Qurbani) must be under management of a person who is a caretaker of disposal of animal wastes and skins.
5. That caretaker in (4) above must be Registered and Licensed to manage disposal of animal wastes and skins.
6. Registration and License is done by Muslim Supreme Council of South Africa (MUSCOOSA).
7. Management fee will be paid by the caretaker of designated places in (4) above for Registration and License, and by any person intending to offer sacrifice (Quran). Money collected is for disposal of animal wastes and skins from designated places to dumping places.

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8. Anyone found slaughtering animals ritually slaughtered annually by Muslims (Qurbani) Not In Designated Places Will Pay A Fine of Amount of Money or To Be Jailed For 7 Days or Both For Making Our City Unhealthy And Dirty.
9. Anyone Found Dumping Wastes and Skins of Animals Ritually Slaughtered Annually By Muslims (Qurbani) Not In Designated Places Will Pay A Fine of Amount of Money or To Be Jailed For 7 Days or Both For Making Our City Unhealthy And Dirty.
10. Any person or entity making Qurbani (Animals ritually slaughtered annually by MUSLIMS) must adhere to Animal Handling laws of South Africa.
11. Any person or entity making Qurbani (Animals ritually slaughtered annually by MUSLIMS) must adhere to Animal Handling laws of Islamic Teachings regarding animals purposely slaughtered for ADHUHIYA QURBANI including the following:
 - (i). The animal must be sound and healthy.
 - (ii) The animal must be old enough ie goats and sheep's must be 6 months old or more.
 - (iii) The animal must be acquired in permissible means ie through purchase or donations.
 - (iv) The animal must not have any defects on its body ie must not be with a broken leg naturally born or accidently.
 - (v) The animal must be given grasses and water before actual time of slaughtering.
 - (vi) The animal must not be pregnant.
1. Qurbani meat must be free not for sale. If anyone found selling Qurbani meat Will Pay A Fine of Amount of Money or To Be Jailed For 7 Days or Both for selling meat for charity which is fraud and corruption.
2. Qurbani meat that is not distributed on the same day of slaughtering must be well refrigerated.

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3. Refrigeration of Qurbani meat must adhere to healthy conditions of refrigeration as recommended by Department of health of South Africa.
4. Qurbani meat should be distributed to South Africa as the first priority before distribution to any country outside South Africa.
5. Any person intending to be a caretaker of designated public or private places for Qurbani must apply for registration to be licensed as manager of such places responsible for disposal of animal wastes and skins animals ritually slaughtered annually by MUSLIMS called Qurbani.

Together we can keep our cities and towns clean

Article 3 : MOSQUES AND ENDOWMENTS

Mosques and Endowments Rules and Regulation of Muscoosa Policy 2016

Regulations made in accordance with the constitution of South Africa, Act of MUNICIPAL COUNCILS AUTHORITY that maintains health and cleanliness of towns and cities, above act of consumer Protection and compliance to employment act for Employers Declaration of employees in terms of section 56(1&3) read with regulation 13(1&2) “ *an employer must by the seventh day of each month inform the commissioner of changes arising during previous month regarding the employers contact or employees remuneration detail including new appointments and termination of services.*”

Objective:

Effective monitoring of mosques management, and administer deployment of mosque workers, commencing and termination of their Jobs, determine their pension at retirement age, since leaders of prayers in mosques speak to the public, monitor and eliminate any language and message of hate that may cause violence and damage public image.

Mosque means a place designated for performing prayers and endowments means building for income generation to support the mosque activities, and for usage by worship activities, landing activities and any other activity of Islam.

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1. Every mosque in the Republic of South Africa Must be registered by the Muslim Supreme Council of South Africa (MUSCOOSA) starting from 1st July 2016. The registration of each mosque will attract administration fee of R 1000.
2. Upon Submission of Documents for registration of a Mosque and endowments, must submit documents that declare the ownership of the Mosque and endowments, to be included in the registry of endowments. This help to resolve conflicts by establishing the rightful owners, Trustees, managers, etc of the mosque and endowments.
3. Each and Every Mosque must be inspected once every week for cleanliness and adherence to Public health standards as regulated by the department of Health of the Republic of South Africa in partnership with local government.
4. The Mosque management committee or trustees must declare the financial expenditures of the mosque monthly showing payments of rates, lights and water, salary of mosque workers, expenditure on cleanliness, renovations, security, etc that shows monthly expenditure of the Mosque that may be given to the same mosque upon request for financial help from Muslim Supreme council of South Africa MUSCOOSA).
5. Upon registration of every mosque, the mosque management must declare contact person/s in charge of the management.
6. The management of the Mosque or endowment must declare that they cannot meet standards of a mosque and they cannot pay fees as regulated to the department of Endowments of Muslim Supreme council of South Africa (MUSCOOSA) by signing the agreement that gives Department of endowments mandate to take care of that Mosque and endowments.
7. Monitoring and inspection of each mosque attract monthly contribution from the mosque depending on the capacity, minimum payment of R1000 for a mosque that accommodate 10-40 people.
8. A Public health Certificate of Compliance will be issued to Mosque Management.
9. Imaams and Muadhins are employed to work at the mosque and attend to the public, so there is no closing of Mosques during government official working hours, weekend and Holidays in order to allow the public access to the mosque

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for prayers, receiving donations from the public, helping those in need of immediate help, reading and learning, counseling, usage of toilets, etc.

10. The management of the mosque must ensure the security of the mosque day and night.
11. No smoking of cigarettes and other intoxications is allowed inside the mosque or outside where the congregation assembles for prayers, this is the same ruling with smoking in public places Act of South African laws for public safety.
12. No Imaam or Muathin is allowed to smoke cigarette and other intoxication as ethics of his work. Whoever is smoking Cigarette and other intoxication does not qualify to be Imaam or Muadhin of any Mosque.
13. Imaam is the leader of Prayers in Mosques, and Muadhin is the caller of people to come for prayers: both are workers of the Mosque responsible for nestablishing five mandatory prayers according to Islamic faith and Friday special Prayers. So, all Imaams and Muadhins of any mosque must be registered with Department of Sharia in charge of Religious affairs of Muslim Supreme Council of South Africa (Muscoosa).

Upon submission of document for registration of every Imaam and Muadhin, following documents must be submitted:

14. Certified ID Copy/ Passport with work permit or certified refugee status. All Imaams and Muadhins from foreign countries those who have got no work permits must apply for work permits as workers of Muslim Supreme Council of South Africa (MUSCOOSA), or through their employers.
15. Contract of employment from the employer
16. Resume or CV (attach copies of academic back ground achieved if available)
17. Marital status
18. Proof of Payment of Registration fee for administration (R1000) (must paid by the employer) for A certificate of registration as Imaam or Muadhin will be issued stating the Class of Imaam or Muadhin depending on the Academic back ground and experience of his work. That money (R1000) may be deducted from his salary.
19. Muslim Supreme Council of South Africa comply with employment act of declaring employees by the employers and their details and pay contributions to

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UIF as required by the law as well as paying income Tax unless exempted, by declaring all employed Imaams and Muadhins as employers of Muslim Supreme Council of South Africa on behalf of their employers if they wish to do so, or the employees must declare the Imaams and Muadhins as their employers as required by the Act.

20. Muslim Supreme Council of South Africa (MUSCOOSA) will appoint council of Imaams and Council of Muadhins that is responsible for handling affairs of Imaams and Muadhin including their tribunal in case of disagreements.
21. Every Healer of Islamic Doctrine must be registered as Employer of Muslim Supreme Council of South Africa (MUSCOOS) under Department of Health. A certificate of registration will be issued. Registration fee is 2000 paid annually.
22. All registrations are renewed annually with registration fee for administration.

ARTICLE: 4 FASTING THE HOLY MONTH OF RAMDAN AND HOLY MUSLIM HOLIDAYS

Fastling the Holy Month of Ramadan and Holy Muslim Days, Muslim Gatherings, New Muslim, Rules and Regulations of Muscoosa Policy 2016.

Objective:

To Unite Muslims and Muslim community of South Africa by clearing the confusion that always happens at the starting of Fasting the holy month of Ramadan depending on sighting the new moon of Islamic calendar called **Lunar calendar**, and at the end of fasting to celebrate Holy Muslim day called Eid Al- Fitr, and at the beginning of holy month of hajj for Annual Islamic Rituals performed in gathering at Makkah in Saudi Arabia during the first ten days, and celebrations of Holy Muslim days begins on tenth day called Eid Al-Adhuhiya that means slaughtering of animals begins immediately after Eid prayer, slaughtering lasts for three to four days. This confusion causes a major division between Muslims causing to fast, celebrate Eid days, slaughter animals ritually on different days which is not permissible in Islam that needs immediate enforcement of these Rules and Regulations of Muscoosa Policy 2016.

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Regulated:

1.THAT: Public announcement of confirmation exact following days days:

- a) **Starting Fasting the Holy Month of Ramadan.**
- b) **Celebration of Eid Al-Fitr after fasting the holy month of Ramadan.**
- c) **Celebration of Eid Adhuhiya and start of ritual slaughtering of animals in the Holy Month of Dhul Hijj.**

Will only be done by the Department of Sharia and endorsed by office of the Grand Mufti of South Africa after communication from all respected leaders of Islam locally and internationally. In case of different confirmation of exact date; Office of the Grand Mufti shall and will always follow the majority opinion.

2. **Decision of Office of the Grand Mufti is final.** For those who may have a differing opinion from decision of the office of the Grand Mufti of South Africa As confirmed by Department of Sharia Muslim Supreme Council of South Africa (MUSCOOSA), may follow their opinion only privately without public gathering in a public place, And they are not allowed to make any public announcement of their different opinion that establish a confirmation of different days from the Days confirmed by Department of Sharia in consultation with local and international Muslim leaders endorsed by office of the Grand Mufti and Publicly announce by Grand Mufti of South Africa Himself without fail, or His Deputy on his consent, or He delegate any other council member from council of Sheikhs to publicly announce confirmed exact days in his absence.
3. Muslims are not allowed to Celebrate Christian Holy Days such as Easter, Christmas, etc. no any Muslim gathering or gatherings are allowed publicly in public places except privately in private places, and no any public announcement or advertisement is allowed for such gatherings by Muslims on Christian Days, before or during Christian days. Celebrating Christian Days contradict with teachings of Islam. we must give chance to our Christian neighbors to enjoy their days without any disturbances caused by us Muslims doing gatherings on their Days that makes a similar message that Muslims also celebrate Easter, Christmas etc, causing traffic congestion and minimizing their organization of similar gatherings where they may

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engage in marketing for fundraising, praying, causing a competition for public venues. The same applies to Non-Muslims of all other faiths.

4. Everyone has rights and freedom of worship, anyone who is a Muslim and He or She wants to Celebrate Christian days as Muslim gatherings in a public place must Publicly denounce Islam and profess that He and His followers are not Muslims, they are Christians and they must not by any means resemble Islam in dressing, way of Praying, etc.
5. For this reason of confirmation of some one's religion, whoever choose to be a Muslim and willingly embrace the religion of Islam, a certificate of registration as Muslim must be Issued to that person and his family members that confirms He or She is a Muslim indicating dates, place and person who initiated him or her into fold of Islam. When same person or persons denounce Islam their certificates of registration as Muslims will be canceled and all benefits of being a Muslim terminated including free Islamic Funeral, care of his or her orphaned children and their mother (widow), or guardian, scholarships and bursaries, etc. Registration form as a Muslim is found on our website: <http://muscoosa.co.za>

6. These Regulations adopted as resolved coming into effect from 1st July 2016. These Rules and Regulations will be revised as may be required or requested only after 24 Months and new amended Regulations will Come into effect on 1st July of Coming year from date of amendment.

So, the Department of Sharia Muslim Supreme Council of South Africa (MUSCOOSA) here by call for public opinion regarding regulations amendments by suggestion of adding or changing a particular Rules and Regulations but no suggestions for omissions and removing of any Rules or Regulation will be considered.

THUS, PASSED AS RESOLOVED AND DULY SIGNED:

Sultan Sheikh Yasin Muhammad Yaqeenu-llah Al-Shuaib Grand Mufti of South Africa, President, CEO, Chairman board of Directors, Chairman board of trustees, Muslim Supreme Council of South Africa (MUSCOOSA).

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