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Fatwa no. 19407:

Q: We opened a dispensary five years ago. Since the beginning, we have been keen to help patients in various ways, including issuing a range of discount cards. Among these is a card entitling a patient to a free checkup and a great discount on services. The card is given to whoever the administration considers to be deserving and is given in the name of cooperation or compliment. There are also golden discount cards as well as discounts to most governmental sectors and others. Cards were granted for free throughout the past years. However, taking many things into consideration such as: 1- the cost of printing, enveloping and preparing cards, 2- beneficiaries frequently losing cards requiring an alternative to be printed, and 3- beneficiaries taking little care of the value of the card as it is free and easily substituted, a new card (VIP) was issued. In fact, this card also costs the dispensary a lot as it goes through many stages of production such as innovation, study, design, printing and proofreading,

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follow-up with printers and the stages of issuing the card which in turn entails preparing, writing, enveloping, and registering the card in relevant schedules, delivering it to the beneficiaries and receiving requests from them. Actually, this occupied a lot of workers

and incurred many expenses. Therefore, we assigned a paltry price (50 Riyals) for issuing the card in order to cover the expenses and redress the efforts that have been exerted and time that has been wasted. We were keen to assign a paltry price so that beneficiaries can obtain them and enjoy the discounts and privileges they have, including: 50% discount on checkup, 25% discount on delivery and internal surgery, 30% discount on services (radiography, lab, emergency) and 40% discount on dental treatment and fastening. Such privileges are applicable to card holders as well as all family members regardless of their number. They are for one year starting from the date of issuance. The question is: Is the price of the card received by the dispensary in return for the costs it incurs as well as the efforts it exerts ill-gotten money that may not be circulated? Please, note that the beneficiaries ask for it themselves and make use of it on the first

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visit of one person outweighing what they pay. It applies for an entire year and covers all family members. In fact, the beneficiary makes use of it outweighing its price tenfold. Moreover, no beneficiary requests a card unless he has already come to the dispensary for treatment and knows what it has to offer, and this makes him certain that it will save more than its price in one visit. Furthermore, there is no beneficiary who does not make use of the card he requests. In addition, any beneficiary has the right to have back what he pays at any time if he does not make use of it. Consequently, a beneficiary may not be deceived as he may or may not make use of a discount outweighing its price. If the case is the latter, he may return it and take back its price after deducting the actual printing cost which may not exceed 9 Riyals. Therefore, we would like Your Eminence to give us a fatwa on the issue so that we may not commit a forbidden act while being unaware.

A: What you are doing falls under the category of commercial health insurance which is prohibited as it is an aleatory contract. The insurer pays a sum of money to receive a discount for one year or more or less which he may never make use of as he does not need to go to the dispensary during that period. In this case, he loses his money to the advantage of the dispensary. He may also make great use of it outweighing many times the sum he paid.

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In this case, the dispensary is the loser. Thus, the one who benefits, in fact, wins the bet while the other one loses the bet, which is the core of gambling that is strictly prohibited by the Qur'an. Allah (may He be Exalted) says, ﴿ O you who believe! Intoxicants (all kinds of alcoholic drinks), and gambling, and Al-Ansâb, and Al-Azlâm (arrows for seeking luck or decision) are an abomination of Shaitân's (Satan) handiwork. So avoid (strictly all) that (abomination) in order that you may be successful. ﴾ Furthermore, money as such is a means of deception. ﴿ The Prophet (peace be upon him) forbade Bay`-ul-Gharar (uncertain sale). ﴾ May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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