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An-Najah National University

Faculty of Graduate Studies

Contract of Importing in Islamic Sharia

Comparative Study

**Prepared by
Nemer Saleh Mahmoud Dragmh**

**Supervisor
Dr. Ali Al Sartawi**

*Submitted in Partial Fulfillment of the Requirements for the Degree of
Master of Islamic Law (shari'a) in Usol Figh wa Tashree , Faculty of
Graduate Studies, at An-Najah National University, Nablus, Palestine.*

2004

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Contract of Importing in Islamic Sharia
Comparative Study
Prepared by
Nemer Saleh Mahmoud Dragmh
Supervisor
Dr. Ali Al Sartawi

Abctract

Praise to God, and peace be upon his last prophets and messengers. I briefly introduce the most significant results that I have reached upon my message as follows:

- 1- Supply contract: It is a contract by which one party (the supplier) assures supplement to the other party (the purchaser) of certain goods or services-either in one or several installments. This supplement is given in return for certain amount of payment. Each payment is given upon delivery. Purchase must be of a general nature at the time of delivery, or of great productive quantity huge factories.
- 2- Parties of supply contract are the seller (supplier) who must be committed to the supplement and the buyer who must accept the purchase.
- 3- Conditions of supply contract are general to contractors (maturity, mindedness, choice), and the compensation conditions are the same but they are for both price and assessor.
- 4- Supply contract is subject to Qura'nic evidence which designate contract insurance in addition to the scientific and logical originality.

- 5- The choice of council in supply contract is confirmed if supply contract takes place thereupon and upon agreement, it should be publicized.
- 6- The choice of condition is confirmed in supply contract in reference to general guidelines which prove the correctness of conditions.
"Muslims are committed to their acceptance"
- 7- Injustice choice is confirmed in supply contract if we consider the ignorance of the ill-faired person.
- 8- The choice of sight is not confirmed contrary to what agreed upon between contractors. However, the supply contract is visually confirmed if the commodity agreed upon is materialistically seen.
- 9- The choice of defect in supply contract is not included in the compact, but the defect is proved if specified.

The study analysis proves that supply contract is merely one of the purchase types dedicated to Islam jurisprudence. It literally agrees with it in aims and means.