

- The choice to cancel sell or confirm = Return Policy

- Different types of خيار - Khayar

1- خيار المجلس

As long the buyer & seller haven't seperated

= from the majlis - shop, market place

No matter how long you stay
in the shop as long one party leaves

2- خيار الذي يثبت بالشرط = خيار الشرط

The khayar that's affirmed because of condition

ex: you go seller & put condition
that you can return it anytime
within 3 days

shaficiyah & some scholars
only mention 3 days - more than 3 days
is Not Allowed

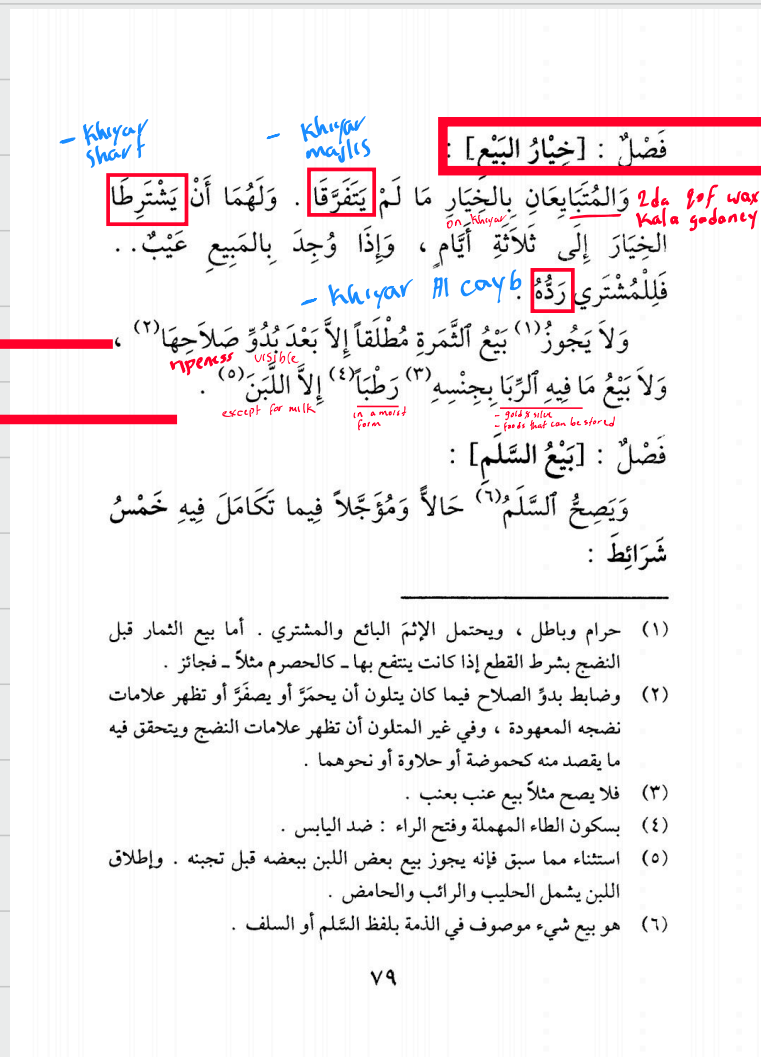
correct opinion - Allah aclam
= No limit to the shard time
condition

3- خيار العيب = finds problem in bought item

- person has choice to return product or keep it

- if he knew about the fault in the item = No Khayar

- No time period for khayar cayb



Not allowed to sell things that riba in it

- gold & silver
- food that can be stored

in moist form except milk - All that's like it: liquid

ex: grapes for raisins → hard form for moist
wet dates for wet dates → moist form for moist

why: hard to find out
the difference in weight = ambiguity

principle

الجَـزْءُ يَأْتِي مِثْلَ كَالِجِـزْمِ بِأَلْفَا حِزْلٍ

Not knowing something is the same amount
is like knowing they are different

mean:

if you unsure if both items are 5kg or Not
you have to assume it's Not

١- أَنْ يَكُونَ مَضْبُوطًا بِالصَّفَةِ . وَ٢- أَنْ يَكُونَ جُزْأً لَمْ
يَخْتَلِطْ بِهِ غَيْرُهُ . وَ٣- لَمْ تَدْخُلْهُ الْكُفْرُ لِإِحَالَتِهِ . وَ٤- أَنْ لَا
يَكُونَ مُعَيَّنًا . وَ٥- لَا مِنْ مُعَيَّنٍ .
ثُمَّ لِيَصِحَّ السَّلَامُ فِيهِ قِيمَانِيَّةُ شَرَائِطٍ ؛ وَهُوَ :

١- أَنْ يَصِفَهُ بَعْدَ ذِكْرِ جَنْبِهِ وَتَوَعُّوهُ بِالصِّفَاتِ الَّتِي
يَخْتَلِفُ بِهَا الْكُفْرُ . وَ٢- أَنْ يَذْكُرَ قَدْرَهُ بِمَا يَنْفِي الْجَهَالَةَ
عَنَّهُ . وَ٣- إِنْ كَانَ مُؤَجَّلًا . ذَكَرَ وَقْتَ تَجَلُّو . وَ٤- أَنْ
يَكُونَ مُؤَجَّدًا عِنْدَ الْاِسْتِخْفَاقِ فِي الْغَالِبِ . وَ٥- أَنْ يَذْكُرَ
مَوْضِعَ قَبْضِهِ . وَ٦- أَنْ يَكُونَ الْقَنْ مَعْلُومًا . وَ٧- أَنْ
يَقْتَضِيَ قَبْلَ التَّقْوُفِ . وَ٨- أَنْ يَكُونَ عَقْدُ السَّلَامِ نَاجِزًا لَا
يَدْخُلُهُ خِيَارُ الْكَشْرُوطِ .

فَضْلٌ : [فِي الْكُفْرِ]

وَكُلُّ مَا جَازَ بَيْعُهُ . جَازَ وَهْنُهُ^(١) فِي الْكُفْرِ إِذَا اسْتَقَرَّ
ثُبُوتُهَا فِي الْكُفْرِ . وَلِلْوَاهِنِ الْوُجُوعُ فِيهِ مَا لَمْ يَقْبُضْهُ . وَلَا

(١) جعل عين مالية وثيقة يدين يستوفى منها عند تعذر الوفاء .