



جامعة السلطان الشريف علي الإسلامية
UNIVERSITI ISLAM SULTAN SHARIF ALI
SULTAN SHARIF ALI ISLAMIC UNIVERSITY

Faculty of Shariah and Law
Semester I, 2014/2015 Academic Session

Examination Question Paper

Course Code : LS 3301

Course Name : Fiqh al-Mu'amalat (Transactions)

**Course Level : Bachelor of Laws (LL.B) & Bachelor of
Shariah Law (BSL)**

Time : 3 hours

Notes:

Answer **FIVE** (5) of the following questions including question 1.

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

Question 1 : (20 marks) (compulsory)

(1) Explain the two classifications of sale contract.

(5 marks)

(2) How Bai' Bithaman Ajil (BBA) contract is different from the interest-bearing loan contract?

(5 marks)

(3) Discuss the following situations and its Islamic legal ruling:

- a) If a borrower voluntarily returns an additional amount over and above the principal of lender in *qard* contract.
- b) If the owner of the capital participates in the management of the business in *mudarabah*.
- c) If a pledger cannot settle the loan, the pledged property will automatically belong to the pledgee.
- d) If the seller want to exchange BND 100 with 10 kg of high quality of dates with deferred delivery to buyer.

(10 marks)

Question 2: (10 marks)

Among the most important prohibitions in Islamic commercial law are *riba*, *gharar* and *masyir*. (a) Define *riba* literally and technically.

(b) Why it is prohibited in Islamic transaction?

(c) What are the two main criteria to constitute *riba* in *ribawi* items?

Question 3: (10 marks)

Distinguish between the following contracts:

- (a) *Salam* and *Istisna'*;
- (b) *istisna'* and *ijarah*;
- (c) *istisna'* and *murabahah*.

Question 4 : (10 marks)

- (a) Explain the types of *wakalah* contract and their different uses.
- (b) Differentiate between *wakalah* and *ja'alah*.

Question 5 : (10 marks)

- (a) Distinguish between *qard*, *dayn* and *i'arah*.
- (b) Explain four important conditions for *qard* contract.

Question 6 : (10 marks)

- (a) Discuss how profit and loss are distributed in a partnership (*sharikat al-'inan*)
- (b) Define *Syarikat al-Wujuh* (partnership of reputation) with an example.

Question 7 : (10 marks)

Define the following types of contract and give the Islamic legal ruling on them;

- (a) *bay' al-mulamasah*
- (b) *bay' al-dayn*
- (c) *al-hiwalah*
- (d) *bay' al-sarf*

بالتوفيق والنجاح