

2146 - 'Aqd al-Istisnaa' (contract to have something made or done)

the question

What is 'Aqd al-istisnaa'?

What are the rulings and conditions governing it?

Detailed answer

'Aqd al-istisnaa' – which is a contract that applies both to the labour and the product itself – is binding on both parties when it is drawn up in accordance with certain conditions.

The following conditions apply to 'Aqd al-istisnaa':

1. Clear statement of the type, amount and required features of the work to be done or product to be made.
2. Specification of the time frame involved.
1. In 'Aqd al-istisnaa' it is permissible to delay paying the full price, or it may be paid in installments at specific times over a limited period.
2. It is permissible for 'Aqd al-Istisnaa' to include a penalty clause stating what the two parties have agreed on, so long as there are no circumstances beyond their control. And Allâh knows best.