



Fatwa no. 8865

Q: I went to the gold market gold in Jeddah. I had some golden ornaments and I wanted to exchange them for new ones. I gave them to the shopkeeper and told him that I want to exchange these ornaments. He took them and gave me some other kinds to choose from among them. I took one kind and asked him to exchange this gold an equal weight for an equal weight. But I came to know that this man increases three riyals for the price of his new golden ornaments. The weight of my golden ornaments was 170 grams and the weight of his new ornaments was 156 gram. This means that I have to pay one hundred riyals. Therefore, I told him that it is not permissible to do that as it is a kind of Riba (usury/interest). I told him that I will sell you my old ornaments, then I will buy your new ones. He bought my gold in return for 5000 riyals and I bought his new golden ornaments in return for 5100 riyals. The weight of the gold I bought was 156 grams which was less in weight than my sold gold. The man laughed and said that this is the same transaction but in an indirect way. He told me that all the market behave in such a way. They take three riyals for every gram if you want to exchange golden ornaments with other new ones of the same weight. He claimed that this is the right of handcrafting. Is my selling and buying in the manner mentioned above valid?

(Part No : 13, Page No: 493)

2- Is taking goods that weigh more than he gives a kind of Riba? Moreover, he says that this is not a kind of Riba. **3-** It seemed to me that if I did not buy from him, he would not buy my gold. What will be the ruling if he does that?

A: If the reality is as you mentioned, then: 1- Selling your gold in return for silver and buying his gold in return for silver is permissible and it is not a kind of Riba if both of you possesses completely the bought objects at the same time of holding the contract. 2- Taking three riyals in return for every gram because of it being new is not permissible. You have done well in forbidding the evil he wanted to do while you were at his shop. 3- If selling your gold in return for silver is dependent upon buying his gold in return for silver, then this transaction will not be permissible. This is because doing so will be similar to holding two transactions in one sale which is forbidden. Therefore, you should not sell him your gold and you have to search for another person who will buy your gold without stipulating that you buy from him.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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