

Abstract:

This legal research in electronic contracts held on internet website plays an important crucial role in electronic commercial exchange on local and international levels. Electronic commerce has achieved development in all life utilities and so it has become important for companies and individuals to hold commercial deals and manage their interests and works through internet website which has opened wide horizons for users all over the world.

Electronic contracts as other contracts are based on the following pillars such as satisfaction, store and cause. It subjects concerning organization to for general rules to contract theory. However, its electronic mail and matching acceptance from both sides on internet as electronic way has distinguished it from traditional contracts, these contracts derive its legitimacy and legality from exchange laws and electronic commerce. In case these rules are not enough and its inability to find solutions for any matter related to these contracts, they are transferred to general rules.

Electronic mails enjoy evidences and proofs derived from proof laws as well as from the Palestinian environment laws in particular which has made it equal and electronic signature in traditional writings and traditional signature, this is from one hand, and on the electronic commerce and exchanges particularly the exemplary law (Unistral) concerning electronic commerce issued from United Nations in 1996 on the other hand. The exemplary law is the base of electronic commerce laws has derived its rules in Western and Arab worlds, and according to it the rules of electronic mail has been organized.

In Palestine, matters related to electronic commerce has not been organized yet as there is a legal emptiness concerning electronic commerce and electronic contracts in Palestine. The Palestinian project has exerted great efforts to organize the electronic commerce represented in issuing a project called electronic Commerce Exchange in 2003 and the project law of organizing the Palestinian Signatures in 2004 but these efforts has not been applied yet.