

## ABSTRACT

Fahmi Zul, Fariz. 2012, Monitoring the implementation of Al-Mudharabah agreement Sharia Supervisor as *Prudential Banking Principle* in BRI Syariah Branch in Malang. Thesis. Department of Business Law of Sharia. Faculty of Shari'ah. State Islamic University of Malang Maulana Malik Ibrahim. Mentors, H.Khoiril Anam, LC M.H.

Keyword : Monitoring the implementation, Al-Mudharabah agreement, Prudential Banking Principle.

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Banking is one of the financial institutions that have great impact on the economy in communities across the country. Islamic banks is the application of the results means the bank does not charge beyond the ability of our customers and will guarantee the existence of "openness" to the fact that the economic life of modern society tends to lead to exploitation of the strong (stronger economic and political) against the weak. Based on these two things, then the bank financing in Shari'ah products will give a different result between the contract agreement with one another, and thus the management of the bank financing due to sharia resiko character is closely associated with the customer and project risk. Due to the character associated with the character of the customer matters. To minimize the risk of an effort suatau very important and quite efficient is to improve the oversight of banking products. This form of surveillance can be conducted by the Sharia Supervisory Board and the legal staff in Islamic banks. Sharia Supervisory Board is very closely related to reputational risk and liquidity risk as to keep the banking institution itself syariah.

This thesis belong to the category of empirical legal research. Empirical legal research is a study that conceptualize law in detail and depth of an object state of the research problem under study. Researchers looked at mudharabah supervision at the Bank of the Republic of Indonesia Sharia and fiqh muamalah article relating to the application of Shariah banking.

Implementation of research results author pengawasan conducted by the Council in implementing the Sharia supervisory oversight is not maximized due to the practice field, members of the Sharia Supervisory Board consists of only 2 (two) people where Bank Indonesia in accordance with Regulation No 11 / 3/PBI/2009 on Sharia Commercial Banks conducting business based on sharia principles Indonesia bank governors expressed only board member at least 3 (three) persons at most,