

ABSTRACT

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Wadi'ah agreement used in the shari'a banking deposit products such as checking, savings and time deposits. Bank Muamalat Indonesia Malang using *wadi'ah* agreement on current accounts and savings products, with the principle *wadi'ah* yad-dhamanah or deposit which may be used by the recipient deposits the depositor permission. Agreement on the operational use of shari'a banking refer to the jurisprudence Muamalat based on Islamic principles. In principle, means a deposit of pure *wadi'ah* that should not be used by the receiving deposit. While the Islamic banking to use the funds deposited as funds are channeled to productive investment by the customer for the purpose of obtaining profits. Bank to the maximum profit, while customers get a guarantee of security deposit and bonus. Operational principle is considered close to *wadi'ah* qardh principle, that the borrower is entitled to retain the maximum use of funds, and ensures the integrity of the lender.

The focus of the problems examined in this study are in agreement *wadi'ah* application based on the principle of pure deposits. Therefore, the bank uses the funds deposited as an investment and customers demanded a security guarantee funds on deposit in the event of an error, although not caused by the bank, as well as a bonus for customers depositor. This study to determine the application of the principle of pure deposits in the execution of the contract *wadi'ah*, especially on products Giro *wadi'ah* Muamalat Indonesia in Malang.

This type of research is empirical legal research. Data collected in the form of primary data through observation, interviews, while data in the form of secondary and tertiary documents and websites. Analysis of qualitative data using descriptive, which outlines a clear and concise regarding the application of the principle of pure deposit using the product Giro *wadi'ah* contract *wadi'ah*.

The results obtained by the implementation of the operational contract *wadi'ah* Muamalat Indonesia in Malang on Giro *wadi'ah* product uses the principle of deposit which may be used. Researchers found a significant reason, that the operational contract with the principle *wadi'ah* deposit which may be used on bank deposit products in Shariah, because there is a legal product or an Act to allow for the implementation of these principles. So that the principle of deposit which may be used to have the legality as well as referring to the contemporary jurisprudence *wadi'ah* divide into two, and look at the functions of the bank to collect and distribute funds to the community.