

ABSTRACT

Masykurin, Ulyana. 2012. *Murabahah: How About Theory and Practice in PT. Bank Syariah Mandiri Malang*. Thesis. Department of Business Law of Sharia. Faculty of Sharia. State Islamic University (UIN) Maulana Malik Ibrahim Malang. Lector: H.KhoirulAnam, Lc., M.HI.

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Sharia banking is present when the country's economy has decreased causing the economic crisis. The presence of shari'ah banking `a society that wants to answer the desire of economic activity remains guided by the provisions of shari'ah` ah. Indonesia as a Muslim majority country that has not been able to attract people to use the product on shari'ah banking, which is caused by several things. One is the perception of people who say that there is no distinction between shari'ah bank with a conventional bank when viewed from the products offered. As the banking murabaha shari'ah, providing cash to customers be treated the same as in conventional banking credit practices. Of the public doubts that begs the question, namely how is the Murabahah system. Murabahah contract and how the implementation of the PT. Bank Syariah Mandiri Malang.

The authors In study use an empirical method of juridical approach that relies on two data sources are the primary data and secondary data and analyzed using descriptive analysis method. Primary data obtained by the author from interviews with staff of employees and customers of PT. Bank Syariah Mandiri Malang. From interviews with the authors obtained the data how murabaha financing system adopted by the PT. Bank Syariah Mandiri Malang. While the secondary data obtained by the author through his books, written reports obtained from the company, and other literature in accordance with the purpose of writing.

The results of this study states that in theory the system used by the Bank Syariah Mandiri guided by the National Fatwa Council of Sharia NO: 04/DSN-MUI/IV/2000 of Murabahah. There are two models of murabahah, the first model to position the bank as the seller murabahah by first buying the goods to the supplier. Whereas the second model the customer has a dual function as a buyer's bank that is also the buyer of the supplier. The implementation of the *murabahah* contract in the first model is the murabahah contract, whereas the second model there are two covenant murabahah contract is a contract precede dilakukan wakalah. So in theory and practice of implementation of murabahah in PT. Bank Syariah Mandiri Malang's not all in accordance with the provisions of Murabahah the National Fatwa Council of Sharia NO: 04/DSN-MUI/IV/2000 about the guidelines and the legal basis for each bank shari'ah.