

ABSTRACT

ShanhazUlfahHapsari, 11220057, Comparative Claims Life Insurance Financing Mechanism Based Sharia Akad *Kafalah* In Muamalat And *wakalah bil Ujrah* In BNI Malang. Skripsi Sharia Branch, Department of Business Law Sharia, Faculty of Sharia, Islamic University (UIN) Maulana Malik Ibrahim Malang, Supervisor, IffatyNasyi'ah, MH.

Keywords: Mechanism Claims, Akad Kafalah, wakalah bil Ujrah

Life Insurance Financing Sharia is insurance which is mandatory for every customer related financing transactions, both venture capital financing, investment and financing (mortgage). This is done to prevent the risk of bad debts resulting from customers died either due to illness or accident. The use of contract Kafalah in Bank Muamalat and wakalahbilujrah at BNI Syariah of course affect the mechanism of the claims contained in the two banks.

In this study, there are two (2) formulation of the problem, namely: 1) How would you compare life insurance contract between the Bank Muamalat Islamic finance and BNI Syariah? 2) What is the mechanism of Islamic finance life insurance claims in Bank Muamalat and BNI Syariah?

This study is an empirical *yuridis*, this study used a comparative descriptive method that compares the current phenomenato make a description, picture, or painting in a systematic, factual and accurate information on the facts, properties and relationships between phenomena that researched. Information source used primary and secondary, then processing techniques using interviews and documentation.

From this study it can be seen that the mechanism of the claims in Bank Muamalat using Kafalah agreement occurred between the bank's headquarters Muamalat with insurance brokers. Where the insurance broker acts as an intermediary between the bank and the insurance company. Insurance broker is a combination of several insurance companies, so the use of contract is used because kafil Kafalah / guarantor more than one. While at BNI Syariah using wakalah bil ujrah that claim mechanism occurs between BNI Syariah Islamic Insurance Company. Use of this ujrah wakalah bills because the banks work directly with each Islamic insurance company. So that the bank directly provides power to the Islamic insurance company to manage the fund participants and participants are obliged to pay off debt when he died due to illness or accident. In this ceremony the participants will be subject to a maximum of 45% ujrah.