

**THE IMPLEMENTATION OF *MURABAHAH BIL WAKALAH*  
FINANCING IN BRI SYARIAH UNIT GENTENG BANYUWANGI  
PERSPECTIVE OF REGULATION OF BANKINDONESIA  
NO.7/46/PBI/2005**

**THESIS**

**By:**

**Naila Wardatul Jannah**

**NIM 11220034**



**SHARIA BUSINESS LAW DEPARTEMENT  
SHARIA FACULTY  
MAULANA MALIK IBRAHIM MALANG**

**2015**

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**NO.7/46/PBI/2005**

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**By:**

**Naila Wardatul Jannah**

**NIM 11220034**



**SHARIA BUSINESS LAW DEPARTMENT  
SHARIA FACULTY  
MAULANA MALIK IBRAHIM  
STATE ISLAMIC UNIVERSITY OF MALANG  
2015**

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In the name of Allah (swt),

With consciousness and responsibility towards the development of science, the author declares that the thesis entitled:

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FINANCING IN BRI SYARIAH UNIT GENTENG BANYUWANGI  
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Author,

Materai Rp. 6000,-
-----------------------

Naila Wardatul Jannah

NIM 11220034

## **APPROVAL SHEET**

After examining and verifying the thesis of Nayla Wardatul Jannah, NIM 11220034, Sharia Business Law, Department of the sharia faculty of State Islamic University, Maulana Malik Ibrahim of Malang entitled:

**THE IMPLEMENTATION OF *MURABAHAH BIL WAKALAH*  
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The supervisor states that this thesis has met the scientific requirements to be proposed and to be tested by the thesis board of Examiners.

Acknowledged by,  
The Head of  
Sharia Business Law Department

Malang, 6<sup>th</sup> of February 2015

Supervisor

Dr. H. Mohamad Nur Yasin, M.Ag  
NIP :19691024 199503 1 003

Burhanuddin Susanto, S.HI M.HUM  
NIP.19780130 200912 1002

## LEGITIMATION SHEET

The Thesis Board of Examiners states that Naila Wardatul Jannah binti Alm.Umar Faruq, NIM 11220034, student of Sharia Business Law, Department of the Sharia Faculty of State Islamic University, Maulana Malik Ibrahim of Malang, her thesis entitled:

**THE IMPLEMENTATION OF *MURABAHAH BIL WAKALAH*  
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| 1. H. Alamul Huda, MA<br>NIP. 19740401 200901 1 018             | _____ | chairman      |
| 2. Burhanuddin Susanto, S.HI M.HUM<br>NIP.19780130 200912 1002  | _____ | Secretary     |
| 3. Dr. H. Mohamad Nur Yasin, M.Ag<br>NIP :19691024 199503 1 003 | _____ | Main Examiner |

Malang, 12<sup>th</sup> of February 2015

Dean,

Dr. H. Roibin, M.HI  
NIP 19681218 199903 1 002

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Malang, 6<sup>th</sup> of February 2015

Author,

Naila Wardatul Jannah

NIM 11220034

وَلَا تَلْبِسُوا الْحَقَّ بِالْبَاطِلِ وَتَكُنُوا لِلْحَقِّ غَافِلِينَ وَأَنْتُمْ تَعْلَمُونَ ﴿٤٢﴾

And do not mix the truth with falsehood or conceal the truth while you know [it]. (QS. Al-Baqarah, 2 ; 42).

Allah forbid them to mix between the Haq (that comes) from Him with Bathil (that comes) from themselves in an attempt to disguise the understanding and destruct the religion.

When both are mixed, then the law is *Bathil*. Because the truth is no longer pure. While the purity of the truth must be maintained, so free in all forms of falsehood.



## TRANSLITERATION GUIDANCE

Process of writing Arabic transliteration in this thesis used transliteration guidance based on decision of minister of religion and minister of education and culture Republic of Indonesia number 158 year 1987 and number 0543 b/U/1987 which can be explained like this:

### A. Letter

ا	=	a	ز	=	z	ق	=	q
ب	=	b	س	=	s	ك	=	k
ت	=	t	ش	=	sy	ل	=	l
ث	=	ts	ص	=	sh	م	=	m
ج	=	j	ض	=	dl	ن	=	n
ح	=	h	ط	=	th	و	=	w
خ	=	kh	ظ	=	zh	ء	=	'
د	=	d	ع	=	'	ئ	=	y
ذ	=	dz	غ	=	gh			
ر	=	r	ف	=	f			

### B. Long Vowel

Vowel (a) long	=	â
Vowel (i) long	=	Î
Vowel (u) long	=	Û

### C. Diftong Vowel

أُو	=	aw
أَى	=	ay
أُو	=	û
إَى	=	Î

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## ABSTRACT

Naila Wardatul Jannah, 11220034, *The Implementation of Murabahah Bil Wakalah Financing in BRI Syariah Unit Genteng Banyuwangi Perspective of Regulation of Bank Indonesia No.7/46/PBI/2005*. Thesis, Sharia Business Law Department of the Sharia Faculty of State Islamic University, Maulana Malik Ibrahim Malang, supervisor : Burhanuddin Susanto,S.HI.M.Hum.

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Key Words: *Murabahah, bil wakalah, Regulation of Bank Indonesia No.7/46/PBI/2005*.

*Murabahah Bil Wakalah* financing, is one of the financing that frequently used in Islamic banking, including in BRI Syariah Unit Genteng Banyuwangi, while in Regulation of Bank Indonesia Article 9 point d 7/46/PBI/2005. To knowing more about implementation of *murabahah bil wakalah* in in BRI Syariah Unit Genteng Banyuwangi, need to do research subsequently.

Accordance to background above, there are two problem formulations that need more intensively explanation, these are: 1) how the implementation of *murabahah bil wakalah* financing in BRI syariah syariah Unit Genteng Banyuwangi? 2) whether *murabahah bil wakalah* financing accordance to Regulation of Bank Indonesia No.7/46/PBI/2005?.

To answer the problem formulations. It needs accurately method. This research included in empirical research. This research called a field research. It is a part of the empirical research who examines of facts of law implementation. Approach that use are statue approach and judicially sociological approach. In this research a method of the data which is used is qualitative data analyse.

The results of this research show that the implementation of *murabahah bil wakalah* financing in Bank BRI Syariah Unit Genteng Banyuwangi not accordance with Regulation of Bank Indonesia article 9 point d, No. 7/46/PBI/2005 about “*Akad Penghimpunan dan Penyelesaian Dana Bagi Bank yang Melaksanakan Kegiatan Usaha Berdasarkan Prinsip Syariah*” mentioned that "Bank represents to the customers (*wakalah*) to purchase the goods, and *Murabahah* Agreement must be done after the goods in principle be belonging to the bank” In next part explanation of this regulation mentioned that *wakalah* contract must be made separately from *murabahah* contract. The following definitions shall apply in principle of goods belonging to a bank in *wakalah* on *murabahah* agreement is the existence of the flow of funds devoted their goods suppliers or proven by purchase receipts. While in implementation Bank give fully representation to the customers to purchase of goods by way of dropping funds at first, then receipt of purchase of goods submitted to the bank as evidence that the purchase has been done. And customers instantly signed two agreements (*murabahah* and *wakalah*) in first agreement.