

ABSTRACT

Mutmainnah, Student ID Number 10220096, 2014. *The Sharing Practices in Dayurejo Village, Prigen Subdistrict, Pasuruan Regency (Review of Act No. 2 of 1960 and KHES)*. Thesis. Sharia Business Law Department. Sharia Faculty. the State Islamic University of Maulana Malik Ibrahim of Malang. Supervisor: H. Moh. Toriquddin. Lc., M.H.I.

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Profit sharing Practice in Dayurejo Village, Prigen Subdistrict, Pasuruan Regency is covenant made to alleviate the burden of the land owners and giving advantage to the pawner if the land is not redeemed; the land ownership transferred to the recipient of pawn, this practice based on a sense of helping each other among residents.

Important issues that need to be answered in this research are: (1) how does the profit sharing practice in Dayurejo Village, Prigen Subdistrict, Pasuruan Regency? (2) How does the profit sharing practice in Dayurejo Village, Prigen Subdistrict, Pasuruan Regency based on the act No. 2 in 1960 and KHES?

In accordance with the problem above, this research aims to understand and analyze the patterns of practice that occurred in Dayurejo Village, Prigen Subdistrict, Pasuruan Regency. The research is empirical research with descriptive analytical approach. The data collected in this research through field observations and interviews to the informant as well as the local village, as well as some data regarding the text of the book proceeds, the pawning in laws and KHES.

The results of the data analysis showed that the practice of profit sharing in Dayurejo Village, Prigen Subdistrict, Pasuruan Regency in the provisions of law no. 2 years 1960 and KHES, there are some differences in terms of the contract are prominently. If the terms of KHES is permissible, because in KHES no provision that the agreement should be in the written form. Meanwhile, according to Law No. 2 of 1960 these practices are not appropriate because of the terms of the contract there is a provision to use writing and no provision for profit sharing.