

## ABSTRACT

Lutvi Amalia Rizki, Student ID Number 10220081, *Legal Protection About Units Holders of Mutual Funds Collective Investment Contract (CIC) at PT Danareksa Malang According to Islamic Law Perspective*, Thesis, Shariah Business Law Departement, Sharia Faculty, The State Islamic University of Maulana Malik Ibrahim of Malang, Supervisor: Burhanuddin Susanto, S.H. I., M.Hum.

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**Key words: Mutual fund, Mutual Funds Collective Investment Contract and Islamic Law**

Mutual funds are collective funds that are managed by an investment company that collects money from public investors and invest it in securities through the capital markets or money markets. Mutual Funds was formed as an alternative investment to the investor community and investors, especially small investors who don't have a lot of time and expertise to calculate the risks of their investments. Mutual funds in Indonesia, there are a form other than conventional, but also a form of sharia mutual funds. In the Article 18 Capital Market Law No. 8 of 1995, stated that the fund consists of two forms of liability the company and the Collective Investment Contract. Based on this, PT Danareksa Malang as a State Owned Enterprise Agency (BUMN) offers mutual fund products Collective Investment Contract (CIC).

The problems in this research are: (1) How to practice the legal protection for unit holders of mutual funds form of CIC at PT Danareksa Malang? (2) How does Islamic law view of the protection for unit holders of mutual funds form of CIC at PT Danareksa Malang?. The type of research that used in this study is juridical empirical research and qualitative approach.

Based on the research finding, it can be concluded that the practice of legal protection for unit holders of mutual funds form of CIC at PT Danareksa Malang characterized by the formation of the contract by the Investment Manager and Custodian Bank in which the rights and obligations and responsibilities of each party must be based on the provisions of Bapepam -LK. In addition to preventive efforts can also be seen from the reporting of daily trading directly sent via e-mail. While the repressive legal protection can be given to the holders of fund units both through litigation and non-litigation. Conventional mutual fund activity in general basically is not technically in conflict with Islamic principles, as long as an agreement is reached between the two parties, the existence of items/objects in a contract that can be handed over, as well as the welfare and benefits contained therein. While the Islamic mutual funds, a product are included into the category list when Islamic securities has successfully passed the screening process involving National Sharia Council-Indonesian Ulema Council (DSN-MUI).