

THE HANDLING OF FINANCIAL PROBLEM WITHIN THE IMPLEMENTATION OF PRINCIPALLY *MURABAHAH* COVENANT IN YOGYAKARTA BRANCH OF INDONESIAN MUAMALAT BANK

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The aim of this research is to understand the aspect of settlement law of financial problem, handling of financial problem and law attainment used for the solution of financial problem within the implementation of principally *murabahah* covenant in Indonesian Muamalat Bank.

This research is done through literary research as well as field research. The purpose of literary research is to gain secondary data through the search of Islamic Law Sources, Legislated Regulation, literature and paper, report of research that later are grouped into primary and secondary law substance. The researcher does field research in Yogyakarta with the help of director of Yogyakarta branch of Bank of Indonesia, the director of Yogyakarta branch of Indonesian Muamalat Bank and public notary as respondents. Meanwhile, the informants for this research are the head of BASYARNAS of Yogyakarta as well as its board. The research uses the means of guided interview in conducting interviews with the informants and respondents.

The final conclusion for this research is the handling of financial problem within the implementation of principally *murabahah* covenant in Indonesian Muamalat Bank through redemption and settlements acts of financial problem. The redemption act is done by rescheduling. The taken phase is when per collectibility tempo is due, for example funding. It is categorized as not really fluent because of 6 months of unpaid finance so that investigation of documents, issue of warning letters, limitation of financial withdrawal, vocation for client in order to have discussion with the bank, making of *addendum* (rescheduling) such as extending tempo for financing, changing the schedule of installments are conducted if it is known that financial issue is based on incorrect information from the debtor and it can cause detriment for the bank. In order to lessen for bigger financial loss, the bank is in charge of stopping the installments and stating for settled financing. Besides that, reconditioning and restructuring are also conducted. Law attainment used in the settlement of financial problem within the implementation of principally *murabahah* covenant in Indonesian Muamalat Bank is by conducting bank internal settlement that is discussion to reach common agreement.

Other than that, the settlement phases that can be done are denunciation to Bank of Indonesia, mediation even though for the settlement through that bank, arbitration, of which it is bonding and last, through BASYARNAS so that if there is an inobedient side, they can demand for flat execution to Religious Court, litigation (Religious Court). The prosecution can be directly filed to Religious Court based on Constitution No. 3 of The Year 2006.

Keywords: Handling of Financial Problem, *Murabahah* Covenant, Indonesian Muamalat Bank

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