

Konversi fasilitas kredit pinjaman berjangka menjadi fasilitas pembiayaan syariah : studi kasus Bank X = The conversion of term loan credit facility into sharia financing facility : case study in Bank X

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Abstrak

ABSTRAK

Tesis ini membahas tentang pelaksanaan konversi fasilitas kredit Pinjaman Berjangka menjadi fasilitas pembiayaan syariah pada Bank X. Penerapan konversi ini terdapat ketidaksesuaian dengan peraturan perundangundangan termasuk fatwa-fatwa DSN serta tumpang tindih dengan akad-akad lainnya. Status hukum atas jaminan kredit/agunan berkaitan dengan konversi tersebut tidak disesuaikan dengan prinsip syariah. Melalui penelitian normatif dengan tipe penelitian evaluatif, diketahui tanggapan mengenai ketidaksesuaian atas pelaksanaan konversi fasilitas kredit Pinjaman Berjangka menjadi fasilitas pembiayaan syariah tersebut. Selanjutnya, diharapkan para pelaku perbankan syariah dan notaris memahami pelaksanaan pengalihan fasilitas kredit konvensional menjadi fasilitas pembiayaan syariah.

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ABSTRACT

The thesis discusses about the implementation of conversion from Term Loan credit facility into sharia financing facility in Bank X. There is an inappropriate implementation toward such conversion in connection with the prevailing laws and regulation including Fatwa-Fatwa of National Board of Sharia (DSN) and there is an overlap between its aqad with others. Legal status of credit collateral related to such conversion is not in accordance with the sharia principle. Through normative research method with evaluative research type, it resulted in the inappropriate of implementation of such conversion from Term Loan credit facility into sharia financing facility. Furthermore, the sharia banking perpetrators and notary are expected to understand the implementation of conversion of conventional credit facility into sharia financing facility.