

IMPLEMENTATION OF MURABAHA CONTRACTS IN IMPLANT FINANCING AT BANK MANDIRI SYARIAH SUBBRANCH SENGKANG

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ABSTRACT

This study aims to determine the application of Murabahah contracts in implant financing at Bank Syariah Mandiri Sub-branch Sengkang and the customer's perspective on implementing the contract. The benefit of this research is that it can add insight and knowledge in the field of Sharia banking and can be used as a scientific contribution and increase knowledge, especially for banks, it can be used as a reference in improving management performance and improving the quality and quality of service to the community. This research uses qualitative methods. with an approach through interviews, observation, and documentation to parties related to Bank Syariah Mandiri Sub-branch Sengkang. The analysis technique used in this study is descriptive analysis, a way to process data into information so that the characteristics of the data can be understood and useful for solving

problems and describing the situation or event of a problem to be solved. The results of this study are the application of a Murabahah contract, namely using Bank Syariah Mandiri Sub-branch Sengkang entering a Murabahah agreement with the customer, and at the same time delegating (wakalah contract) to the customer to buy the goods needed by reporting the purchase receipt to the bank.

Keywords: Murabahah Contract; Implant Financing; and Bank Syariah Mandiri Sengkang Sub-branch.

INTRODUCTION

The economic crisis that occurred in 1997 and 1998 in Indonesia caused poor banking performance in Indonesia, so at that time, bankers saw that Bank Muamalat Indonesia (BMI) was not too affected by the monetary crisis. Bankers think that BMI is the only Islamic bank in Indonesia that is resistant to monetary crises. Bank Muamalat Indonesia is the first Sharia Bank in Indonesia which was born in 1992. Then after the establishment of BMI, Bank Syariah Mandiri was established in 1999 which was a conversion from Bank Susila Bakti. Bank Susila Bakti is a conventional bank that was purchased by Bank Dagang Negara, then became Bank Syariah Mandiri, the second Islamic bank in Indonesia (Ismail, 2011).

Financing in Islamic banks is one of the bases of banking activities. There are several types of financing offered by Islamic banks, including Murabahah financing. Murabahah is financing with the principle of sale and purchase or transaction on goods by determining the original price by adding profit that has been agreed upon beforehand, with the bank as the seller and the customer as the buyer. Murabahah financing in Islamic banking there are two categories in financing, namely consumptive financing and productive financing (Astika & Suarni, 2018).

The orientation of the financing provided by Bank Syariah Mandiri is to develop Bank Syariah Mandiri customers, while the target is all economic sectors for businesses such as agriculture, home industry, trade and services. Financing products are in great demand by customers at Bank Syariah Mandiri, one of which is implant financing. Implants are consumer financing in rupiah currency provided by banks to permanent company employees whose applications are made in bulk. Fund users need implant financing to meet consumption needs and will be used up to meet those needs (Darmawan et al., 2015).

The application of Murabahah in Islamic banking practice is divided into three categories: The first type is consistent with muamalah fiqh. The second type is like the first type. Still, the transfer of ownership is directly from the supplier to the customer, while the payment is made by the bank directly to the first seller/supplier. The third type is the bank makes a Murabahah agreement with the customer, and at the same time represents (wakalah contract) to the customer to buy the goods he wants to buy himself. Murabahah financing services in types 2 and 3 still need to be reviewed and re- evaluated because even though the financing is

considered valid according to the law of the Criminal Code, it is still not valid under Islamic law. After all, the pillars of sale and purchase are still not fulfilled, namely the ownership of the Murabahah object. For this reason, the researchers developed an existing concept, namely a system of cooperation between banks and suppliers, as illustrated in the concept (Anugrah & Laila, 2020).

The legal relationship between an Islamic Bank with its customers in connection with the implementation of financing based on the Murabahah, of course, cannot be separated from what is meant by "Akad" itself, which has the same meaning as an Agreement or Contract. Law No. 21 the Year 2008 on Sharia Banking has formulated the meaning of "Akad", as "Akad is a written agreement between Sharia Bank or Sharia Business Unit and another party that contains the rights and obligations for each party by Sharia Principles (Rejeki, 2013).

Murabahah itself is a sale and purchase transaction in which a customer comes to the bank to buy something or goods with the criteria desired by the customer, which then there will be an agreement between the customer and the bank, where the bank promises to buy something, the customer wants. Then the bank and the customer will do a Murabahah contract, namely the bank will buy something according to the basic price with a profit level agreed upon by both parties, and the customer will make payments in periodic installments according to his financial capacity (Maya et al., 2023).

For the purchase of goods desired by customers as prospective buyers, Islamic banks have the right to determine and select suppliers trusted by the bank. The supplier is a person or legal entity as the provider of the goods desired by the customer and will be purchased by the Islamic bank, and then sold to the customer together with the making of the agreement contract. However, under certain conditions, Islamic banks can make additional agreements in the form of a *wakalah* contract (representative agreement) so that customers can purchase goods based on the specifications contained in the contract. As for the file regarding the Purchase Order (PO) for the purchase of goods, the party that issues and makes payments is the Islamic Bank to the supplier (Adnina, 2020).

Murabahah financing has always been dominant in the distribution of financing. Islamic banks provide the largest portion of Murabahah financing when compared to other contracts. So there is a tendency towards easier distribution of financing. Then there is also minimal risk because it uses a sale-and-purchase scheme. So it is very necessary to conduct in-depth research on the extent of the implementation of the Murabahah contract in practice. Especially in Islamic banks located in areas such as branch offices. Given the existence of the Sharia Supervisory Board (DPS) only at the head office, not at all branch offices. So it is very necessary to research the application of the Murabahah contract at Sub-branch offices such as the Sengkang South Sulawesi.

The implant financing at Bank Syariah Mandiri subbranch Sengkang uses a Murabahah contract, where this financing is specifically for the company's

permanent employees. In its implementation, Bank Syariah Mandiri Sub-branch Sengkang provides financing not in the form of goods but in the form of funds. The customer is free to buy goods according to what is needed by reporting the purchase receipt to the bank (Interview, 2017).

In this research, the author wants to examine more deeply what are the reasons for Bank Syariah Mandiri Sub-branch Sengkang so that the implementation of a *Murabahah contract* on implant financing is different from the existing *Murabahah contract system*. Then the results of previous observations of researchers found customer complaints about implant financing using Murabahah contracts, where customers are worried about misuse of funds provided by the bank to customers. It could be stated in the contract to apply for financing for the construction of a house or purchase of a vehicle but these funds are instead used to pay off debts. For this reason, customers are more amenable to financing in the form of direct goods provided to customers in implant financing using a *Murabahah contract*.

A *Murabahah contract* is a contract of buying and selling goods at the original price with an additional agreed profit. In technical terms, *Murabahah sharia banking* is defined as an agreement agreed upon between the Sharia bank and the customer, in which the bank provides financing for the purchase of raw materials or other working capital needed by the customer, which will be repaid by the customer at the bank's selling price (bank's purchase price + profit margin) at a set time (Rivai et al., 2012).

Integration between Islamic banks and Islamic fintech institutions needs to be tried to increase people's access to Islamic finance by introducing technology. The distribution of financing carried out by Islamic banks has not become dominant and has not been optimal, to increase the amount to integration and cooperation with other parties, including Islamic fintech institutions. In its activities, Islamic fintech relies on its activities through digital-based services, without having to meet in person. The type of Islamic peer-to-peer landing fintech (P2P), can bring together fund owners (investors) with parties who need funds, especially for MSME players who need funds but do not have access to Islamic banks (Sapa et al., 2021).

From the description above, it can be explained that the existence of Bank Syariah Mandiri can motivate us to be able to develop Sharia-based economic systems. The aim of conventional economic activities can be eroded little by little, especially in the Sengkang area. This is because for hundreds of years, the world economy has been dominated by the interest system.

The research process at Bank Syariah Mandiri is very interesting and can be used as a science and studied more deeply. In this case, the author is interested in studying more deeply how the application of a *Murabahah contract* in implant financing at Bank Syariah Mandiri Sub-branch Sengkang and the customer's perspective on the implementation of the contract whether the existing application can help or even bring harm. For this reason, the author raises the title

"Implementation of Murabahah Contracts on Implant Financing at Bank Syariah Mandiri Sub-branch Sengkang. The objectives to be achieved from this research are: To find out how the *Murabahah contract is applied* to implant financing at Bank Syariah Mandiri Sub-branch Sengkang. To find out the *Murabahah contract system* used in implant financing. As well as to find out how the perspective of Bank Syariah Mandiri Sub-branch Sengkang is on its practice in the field.

METHODS

This research is a type of qualitative research. By conducting in-depth research and exploration of the object of research, namely the application of the Murabahah financing contract. The data source used in this research is primary data to collect data directly. Then this research also uses secondary data from some previously presented data.

The type of research used is qualitative research. Qualitative research is research in which the data is in the form of words that are processed using descriptions. Moleong said that qualitative research is research that produces analytical procedures that do not use statistical analysis procedures or other quantification methods (Moleong, 2021).

According to Sugiono, the purpose of qualitative research is to find interactive pattern relationships, find theories, describe complex realities, and gain an understanding of meaning. So, it can be concluded that the purpose of qualitative research is to explain the phenomena that occur (Sugiono, 2017). Data Source Primary Data is data obtained or taken directly from PT Bank Syariah Mandiri Sub-branch Sengkang and customers. Secondary data is data obtained directly and data that supports primary data in all forms of data obtained through books, papers, magazines, journals, articles, and the internet, namely regarding the concepts, theories, and practices of implementing *Murabahah contracts* in sharia banking. Research is researchers to observe, and interview using a tape recorder and also use a camera for documentation to collect data obtained from the Bank. The data collection method used is the collection method data through research as follows:

Observation is the act or process of taking information, or data through observation media. In making this observation, the researcher uses the main means of the sense of sight. Through observing one's own eyes, one is required to observe the actions and behavior of the respondent. Then they recorded in field notes or recorded with a tape recorder, as the main material for analysis (Sukardi, 2022).

In this case, what was observed were the activities of employees and customers of Bank Syariah Mandiri Sub-branch Sengkang related to the implementation of Murabahah contracts in implant financing at the Bank. Documentation, namely data collection techniques that are not directly aimed at research subjects, but through documents (Hasan, 2002).

The data collection technique used is direct interviews with several parties of Bank Syariah Mandiri Subbranch Sengkang to obtain complete information. Interviews were conducted with several parties such as the financing division, customer service, and the financing customers themselves. In addition, data collection was carried out through literature with several sources such as books, journals, manual books, and others. Extract this data by examining documents related to implant financing. Interviews or interviews are one of the methods used in the stage of providing data which is carried out using researchers having conversations or contact with speakers as resource persons. An interview is a conversation activity with a specific purpose, which is carried out by two parties, namely the interviewee and the interviewee. In the interview process that will be conducted, researchers will interview employees and customers of Bank Syariah Mandiri Sub-branch Sengkang.

Data analysis techniques are efforts or ways to process data into information so that the characteristics of the data can be understood and useful for solving problems, especially problems related to research. Another definition of data analysis, namely activities carried out to change the resulting data from research into information that can later be used in conclusions. The analytical method used is descriptive, namely a research method to describe situations or events and explain relationships, make predictions, and get the meaning and implications of a problem to be solved. In collecting data used interview techniques and so forth.

The analysis technique used in this research is descriptive qualitative. The data obtained is compiled completely and then an in-depth analysis and exploration is carried out regarding the application of the Murabahah contract in the type of Murabahah Implant financing at Bank Syariah Mandiri Sengkang Sub-Branch South Sulawesi.

RESULTS AND DISCUSSION

Implant Financing at Bank Syariah Mandiri Sub-branch Sengkang

Bank Syariah Mandiri (BSM) is a financial intermediary institution engaged in Sharia banking with a management system based on the principles of Islamic law. BSM comes with the aspiration to build a country with corporate values that uphold humanity and integrity which have been firmly ingrained in all employees of Bank Syariah Mandiri (BSM) since its inception.

Bank Syariah Mandiri Financing Products

1. Mandiri Implant Sharia Bank
2. Micro Warung BSM Financing.
3. BSM Gold Pawn Financing
4. Revolving Fund BSM Financing.
5. Retirement BSM Financing.
6. PKPA BSM Financing (Financing for Employee Cooperatives for Members).

7. BSM Griya Financing

Implant financing is consumer financing in rupiah currency provided by banks to government agency civil servants and permanent employees of the Company whose applications are made in bulk (groups) or individually, coordinated and recommended by the agency/company. The financing offered by Bank Syariah Mandiri is better known as BSM Implant. BSM Implant is commonly referred to as multipurpose financing, which is a type of financing used to purchase consumer goods, for example, to buy houses, and cars and for children's education costs. For the purchase of goods, a *Wakalah wal Murabahah contract* is used and to obtain benefits for services, a *Wakalah wal Ijarah contract* is used (Ismail, 2011).

Bank Syariah Mandiri Sub-branch Sengkang has several financing products, one of which is implant financing, implant financing is financing that is only aimed at permanent employees. This implant financing uses a *Murabahah contract*. A Murabahah contract is a sale and purchase contract for certain goods, where the seller mentions the purchase price of the goods to the buyer, then he requires a certain amount of profit/profit.

Based on the results of interviews with employees of Bank Syariah Mandiri Sub-branch Sengkang and analysis of observations on the implementation of Murabahah contracts in implant financing, the following information can be obtained: A Murabahah contract is a contract for the supply of goods based on a selling system purchase, in which the Bank as a seller provides the customer's needs and sells to the customer at an agreed acquisition price plus profit (*margin*). Payment can be made at the same time as it falls *into* maturity or installments within the agreed timeframe (Rizki, 2019).

The implementation of implant financing at Bank Syariah Mandiri SUB-BRANCH (Supporting Branch Offices) Jembatan Merah Surabaya uses a channeling pattern, in which Bank Syariah Mandiri SUB-BRANCH (Sub-branch Office) Jembatan Merah Surabaya is only a dealer, and the company/institution where the employee works is responsible. The above is carried out easily because the requirements are also easy, so the implementation of implant financing brings convenience to customers. With an emphasis on convenience for customers, this unsecured consumer implant financing brings its contribution to both parties involved.

Megasari (2013) said customers who wish to apply for implant financing at PT. Bank Syariah Mandiri Sub-branch Tanjung Balai Karimun, must comply with the procedure. Beginning with the submission of application letters from prospective customers, investigation of customer application files by the bank, and surveys of customer locations. After the application is approved, the bank official will contact the prospective customer to enter into a contract, then the disbursement of the financing, and as long as the financing installments are carried out by the customer, the bank will also supervise it during that time (Atikah, 2021). According to a review of the Islamic economic system, implant financing at PT. Bank Syariah

Mandiri Sub-branch Tanjung Balai Karimun does not conflict with the Islamic economic system, its impact and influence are very positive. Likewise, from the implementation process, elements of irregularities according to the Islamic economic system have not yet been found.

Application of Murabahah Contracts in Implant Financing at Bank Syariah Mandiri Sengkang Sub-branch Office

From the research results obtained, PT Bank Syariah Mandiri Sub-branch Sengkang in the application of *Murabahah contracts* in sharia banking practices is divided into several types, all of which can be divided into three major categories, namely: the first type of Murabahah application is the type consistent with fiqh muamalah (Atsar & Izuddin, 2019). In this type, the bank buys in advance the goods that will be purchased by the customer after a previous agreement, after the goods are purchased on behalf of the bank, they are then sold to the customer at the acquisition price plus a profit margin according to the agreement (Kurniawan et al., 2024). Purchases can be made in cash (cash) or tough either in kind or all at once at a certain time. The second type is similar to the first type, but the transfer of ownership is direct from the supplier to the customer, while payments are made by the bank directly to the first seller/supplier (Hamida & Khotijah, 2022).

Data obtained through customer interviews as follows:

Table 1. Direct Interview Related to Implant Financing Products

The implant financing at Bank Syariah Mandiri subbranch Sengkang uses a Murabahah contract, where this financing is specifically for the company's permanent employees. In its implementation, Bank Syariah Mandiri Sub-branch Sengkang provides financing not in the form of goods but in the form of funds. The customer is free to buy goods according to what is needed by reporting the purchase receipt to the bank. (Interview Financing Division, 2023)	The customer as the final buyer receives the goods after previously entering into a Murabahah agreement with the bank. Purchases can be made in cash (cash), or tough either in the form of installments or all at once at a certain time. The third type of bank enters into a Murabahah agreement with the customer, and at the same time represents (wakalah contract) to the customer to buy the goods needed by reporting the purchase receipt to the bank. The funds are then credited to the customer's account and the customer signs a cash receipt. (Interview Customer Service, 2023)
Haslinda has correctly understood the Murabahah contract used in implant financing and agrees with the implementation of a Murabahah contract where the bank authorizes the	Erwin Umar correctly understood the Murabahah contract used for implant financing and did not agree with the implementation of the Murabahah contract by authorizing the customer

customer to purchase the goods needed himself, with the reason that the goods to be purchased are what the customer wants. (Interview Customer, 2023)

Indo Laba still lacks an understanding of Murabahah contracts even though they have received an explanation from the bank at the time of the contract. Even so, he still agrees with the implementation of the Murabahah contract where the bank gives full authority to the customer to buy goods according to what is needed, because he will be more satisfied if the customer himself buys the goods. After all, it suits the customer's needs and tastes. (Interview, 2023)

to purchase goods according to what he wanted, because the customer could have misused the funds provided by the bank. In applying for financing, the customer stated that they wanted to buy goods such as motorbikes, but it turned out that the money was not used to buy motorbikes but to pay off debts. Then the matter of depositing proof of purchase receipt to the bank, the customer could manipulate this. So it's best to apply the bank buying goods from suppliers and then selling them back to customers and customers who make installments to the bank at the original price + profit margin. (Interview, 2023)

Source: Interview (2023)

From the results of the interviews above, it can be concluded that some customers agree with the implementation of a *Murabahah contract* for implant financing at Bank Syariah Mandiri Sub-branch Sengkang, although there are customers who disagree. However, this also makes it easier for customers because it is not only certain goods that are traded, but customers are given the freedom to buy goods according to their needs. In connection with the misuse of funds provided to customers, regarding this matter, the bank tries to overcome and continue to control the customer as much as possible after the funds are disbursed. In addition, the customer must also deposit a receipt for the purchase of goods to the bank so that what has been detailed at the time of the contract matches what has been purchased by the customer.

The results of this study indicate the application of the Murabahah contract on Implan financing products at Bank Syariah Mandiri, Sengkang sub-branch which is by the provisions. From the results of the interview, it was found that the Murabahah contract was widely used for financing. In addition, the bank will convey the provisions in the use of the Murabahah contract for financing. The bank will provide maximum service to customers including financing customers so that they can understand each product they choose. The bank will explain everything related to Implan products and the use of Murabahah. So that all transactions can be by sharia principles.

CONCLUSION

The implementation of the Murabahah contract for implant financing at Bank Syariah Mandiri Sub-branch Sengkang aligns with applicable regulations and provisions, involving a combination of Murabahah and Wakalah contracts. The Murabahah contract is applied not only for consumptive needs but also for productive purposes, and can be developed further for MSME financing. The process includes several stages such as customer application, approval, and disbursement, providing convenience for customers and contributing to the bank's income. Although most customers support the contract, some have reservations. The process adheres to the fatwa of the National Sharia Council (DSN-MUI) and demonstrates effective internal control practices, ensuring compliance with Sharia principles. Furthermore, the contract's flexibility in allowing customers to choose the goods they wish to purchase enhances its appeal, while the bank ensures proper monitoring and accountability throughout the financing process.

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