

HYBRID CONTRACT SEBAGAI INOVASI PRODUK PERBANKAN SYARIAH

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ABSTRAK

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This study implements the *hybrid contract* concept as an innovation of Islamic banking products.

This research is a descriptive study, with a qualitative approach. The subject of this research is the practitioners of Islamic banking, while the object of this research is the contract of Islamic banking products. Data collection techniques use interviews, documentation, and literature studies. The research method used in this research is interpretive approach, which is interpretation method, understanding a symptom both oral and written, and aiming to find out a symptom of the phenomenon itself which is studied in depth.

The results showed that: 1) In practice, there are several examples of the adoption of a *hybrid contract* model in Islamic financial institutions such as *mutanaqishah musharaka*, *ijarah muntahiya bittamlik*, and *bai 'al-wafa*. But the *bai 'al-wafa* contract is still very rarely found in Islamic financial institutions. According to the DSN MUI fatwa No. 73 of 2008, the existence of the derivative contract of *musharaka*, namely *mutanaqishah musyarakah* agreement. *Musyarakah mutanaqishah* known as MMQ is a form of cooperation between two or more parties for ownership of items or assets; 2) a single contract is currently difficult to respond to contemporary financial transactions, therefore it requires a contract that is not only single but combines several contracts; 3) the *hybrid contract* contract of developer must go through a *screening* process by the National Sharia Board (DSN) if it is approved by all parties, 4) a *hybrid contract*-based contract is a necessity, Because The single contract form is not Able to answer contemporary contemporary financial transactions. Banking practitioners need to develop a *hybrid contract* based contract, because the form of a single contract is not able to answer contemporary financial transactions at this time. *Hybrid contract* law is valid and permissible according to the Islamic law in accordance with the rules of law that the law of origin of the contract is permissible and valid, not as long as there is no legal argument that prohibits or cancels it.

Kata Kunci: *hybrid contract*, *inovasi*, *perbankan syariah*