



*e-proceeding*

**IDMAC 2017**



**THE 12<sup>th</sup> ISDEV INTERNATIONAL  
ISLAMIC DEVELOPMENT  
MANAGEMENT CONFERENCE**

**29-30<sup>th</sup> NOVEMBER 2017**

<http://www.idmac.usm.my/>

©Centre for Islamic Development Management Studies (ISDEV)

All rights reserved. No part of this publication may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording or otherwise without the prior of the organizer of The 12th ISDEV International Development Management Conference (IDMAC2017); Centre for Islamic Development Management Studies (ISDEV) and Universiti Sains Malaysia.

## TABLE OF CONTENTS

HALAL FINANCING I	
<b>Risk Management In The Implementation Of <i>Musyarakat Mutanaqisat</i> Home Financing Contract In Selected Banks</b>	<b>1</b>
Siti Maryam Idris & Assc. Prof. Dr. Zakaria Bahari	
<b>Optimizing Sukuk-Linked Waqf To Enhance Investors' Interest In Islamic Capital Market Through Building Sharia Hotel In Bali</b>	<b>13</b>
Arienka Prilitaningtyas, Mia Muita Abdullah & Putri Utami	
<b>Do Intellectual Capital And Islamic Work Ethics Matter For Halal SME Business Performance?</b>	<b>26</b>
Sakinah Mat Zin	
<b>Produk Pembiayaan Halal Dalam Amanah Ikhtiar Malaysia: Kontrak Murabahah Komoditi</b>	<b>39</b>
Dr. Raziah Md Tahir, Dr. Syarifah Md Yusof & Syazana Abd Rahman	
<b>Pembiayaan Halal Dan Zakat Asnaf Al-Gharimin Dalam Kalangan Peserta TEKUN Nasional</b>	<b>38</b>
Nadiyah Nabilah Baharum, Dr. Raziah Md Tahir & Assc. Prof. Dr. Abu Bakar Hamed	
EDUCATION & ISLAMIC THOUGHT	
<b>Melestarikan Amali Gotong-Royong Dan Sembelihan Halal Menerusi Pendekatan Kenduri Dalam Seni Silat Cekak Malaysia</b>	<b>57</b>
Mohd Miqdad Aswad Ahmad, Abdul Muhaiman Mat Jaih & Ar Dr. Abdul Majid Ismail	
<b>Kesempurnaan Agama: Pendidikan Hijau Seni Silat Cekak Malaysia</b>	<b>67</b>
Omar Ibrahim Khalid, Abdul Aziz Omar & Ariffin Haron	
<b>Epistemologi Hijau Mullā Ṣadrā Dan Pembentukan Penyelidikan Falsafah Islam</b>	<b>78</b>
Dr. Mohd Syahmir Alias	
<b>Analisis Amalan Kualiti Hijau Dari Perspektif Tasawwur Islam</b>	<b>80</b>
Fazleen Md Ali & Dr. Fadzila Azni Ahmad	
<b>Konsep Kesahan Dalam Penyelidikan Berkaitan Halal: Analisis Ayat 116 Surah Al-Nahl</b>	<b>90</b>

Dr. Nor Hanani Ismail

## HALAL LIFESTYLE ISSUES

### **Gaya Hidup Halal Dalam Kalangan Usahawan Wanita Muslim Berjaya**

97

Dr. Syarifah Md Yusof, Assc. Prof. Dr. Abu Bakar Hamed & Dr Raziah Md Tahir

### **Integrating The Elements Of Halal, Hisbah And Integrity Into The Management Of Islamic Development Institutions**

110

Dr. Azrin Ibrahim

### **Gaya Hidup Halal Wanita Bekerja**

121

Nurul Izza Abdul Aziz & Dr. Fadzila Azni Ahmad

### **Kaedah Pengurusan Motivasi Pekerja Berteraskan Gaya Hidup Halal**

129

Noor Hidayah Samsudin & Dr. Fadzila Azni Ahmad

## SUSTAINABLE ISSUES

### **Islamic Green Accounting Conception In Securing Sustainable Growth And Financial Stability**

132

Norazita Marina Abdul Aziz & Dr. Fadzila Azni Ahmad

### **International Projects On Halal Green Under Sustainable Business Network Association Malaysia (SustNET)**

138

Dr. Norsaidatul Akmar Mazelan

### **The Role Of Green Projects And The Global Halal Ecosystem In Support Of The UN Sustainable Development Goals**

149

Dr. Joel B. Carboni

### **Spiritual Ruqyah Syar'iyah Therapy: Observing The Rise Of A New Faith Healing Tradition Amongst Mental Depression Patient In Malaysia**

158

Dr. Mohd Afifuddin Mohamad, Assc. Prof. Datin Dr. Nooraini Othman, Dr. Rushdi Ramli & Muhammad Asyraf Abduraman

## HALAL FINANCING II

### **Pembiayaan Perumahan Halal: Pengetahuan Syariah Dalam Kalangan Staf Perbankan Islam**

167

As-Sayyid Redhallah Syed Mohamad Anis & Dr. Syarifah Md Yusof

**Kaedah Pembiayaan Halal: Pelaksanaan Ijarah Wakaf Ke Arah Memproduktifkan Harta Wakaf Di Pulau Pinang**

**177**

Surita Hartini Mat Hassan & Ascc. Prof. Dr. Zakaria Bahari

**Urus-Tadbir Halal Dalam Pembangunan Wakaf: Pertimbangan Masalah Ammah Dalam Istibdal Surau Al-Hidayah, Batu Uban, Pulau Pinang**

**187**

Dr. Mohamad Salleh Abdullah

**Pendefinisian Semula Konsep Hutang Produktif Ke Arah Gaya Hidup Halal**

**198**

Ascc. Prof. Dr. Ahmad Azrin Adnan & Izzuddin Abdul Aziz

**Tahap Penerimaan Usahawan Kecil Muslim Di Kelantan Terhadap Ar-Rahnu**

**208**

Dr. Salimah Yahaya & Ascc. Prof. Dr. Zakaria Bahari

**GREEN DEVELOPMENT & MANAGEMENT**

**Konsep Hijau Dalam Latihan Dan Pembangunan Dalam Pengurusan Insan Dari Perspektif Islam**

**224**

Dr. Abang Mohd. Razif Abang Muis

**Pengurusan Stres Berdasarkan Interaksi Insan Dengan Persekitaran Hijau Menurut Perspektif Islam**

**230**

Wan Nornajwa Wan Othman

**Perwatakan Manusia Dalam Pembangunan Hijau Berdasarkan Surah Al-Furqan: Kajian Tafsir Al-Maudhu'iy**

**239**

Nurul Farhana Yahaya

**Elemen Pengurusan Bandar Hijau Menurut Perspektif Islam**

**248**

Syaidatana Siti Aishah Ab Aziz

**Pembangunan Hijau Dan Rizab Makanan Dari Perspektif Islam: Kajian Kes Di Malaysia**

**260**

Nurul Suhada Ismail & Dr. Wan Norhaniza Wan Hasan

**HALAL SERVICES**

**The Impact Of Electronic Word Of Mouth Instagram Account "Kulineratjeh" As Recommendations Halal Culinary Tours In Banda Aceh**

**269**

Nanda Khalisa, Dr. Teuku Meldi Kesuma & Dr. Ahmad Nizam

**IHC (Industry Halal Community): Integration Of Asean Halal Culinary Industry As International Acceleration Halal Center In Indonesia** 283

Khurul Aimmatul Umah, Risanda Alirastra Budiantoro & Diki S. Riwanto

**Food Ingredient, Religiousity And Halal Compliance Among Food Truck Traders In Klang Valley** 298

Noor Raudhiah Abu Bakar, Siti Hawa Radin Eksan & Farah Shahwahid

**A Thousand Malang Islamic Boarding School Excursion: Promoter For Halal Tourism In Malang, Indonesia** 313

Anisah Mahardiani, Eka Dewi Pratiwi & Samara Rahma Dania

**Pengaruh Atribut Pelancongan Halal Terhadap Kepuasan Pelancong Muslim Di Banda Aceh, Indonesia** 326

Dr. Teuku Meldi Kesuma

## HALAL PHILOSOPHY & PRODUCTS

**Penerapan Theory Of Planned Behavior Dalam Pembelian Makanan Halal Pada Masyarakat Di Kota Banda Aceh, Indonesia: Sebuah Rancangan Penyelidikan** 338

Dr. Ridwan Nurdin & Muhammad Haris Riyaldi & Luthfi Sagustra Putra

**Falsafah Sains Halal Berdasarkan Pemikiran Tokoh Sains Islam Kontemporari** 349

Shahirah Said

**Analisis Etika Perniagaan Islam: Kajian Kes Usahawan Melayu Terengganu Dalam Industri Makanan Halal** 363

Rossidi Usop, Siti Fariha Muhamad & Assc. Prof. Dr. Fakhru Anwar Zainol

**Persepsi Pengguna Non-Muslim Terhadap Produk Halal** 374

Noor Hidayah Kasim, Nik Liyana Mustapa @Nik Daud, Siti Fairus Mokhtar & Mas Aida Abd Rahim

## HALAL PRODUCTS & CONSUMERISM

**Systematic Literature Review For The Genetically Modified Food: The Scrutinization Within The Islamic Axiology Position** 383

Dr. Norazilawati Md Dahlal & Dr. Wan Norhaniza Wan Hasan

**Halal Status And Methods Of Clarification: Cosmetics And Personal Care Products****396**

Khairun Nisa Zulkepli &amp; Dr. Norhidayu Muhamad Zain

**Unrecognized Malaysia Halal Logo: The Role Of Shop Retailers In Protecting Muslim Consumers Welfare****407**

Muhammad Nur Amin Zainal &amp; Dr. Mohammad Aizat Jamaludin

**Green Elements In Halalan Tayyiban Food****412**

Nadiyah Rus Liyana Rusli

**Halal-Green Consumerism: A Conceptual Analysis****420**

Siti Mastura Muhammad &amp; Dr. Mohd Shukri Hanapi

**SHARIAH COMPLIANCE & NGO'S ISSUES****Shariah Compliant Hospital Theoretical Framework****429**

Raimi Rahmat Yahaya

**Analyzing The Shariah-Compliant Airlines: A Study On Royal Brunei Airlines****436**

Junainah Idris &amp; Norazla Abdul Wahab

**Current Situation On Shari'ah Compliance Of Trading In Jigawa State, Nigeria****445**

Baba Uba Ibrahim &amp; Assc. Prof. Dr. Ahmad Azrin Adnan

**Halal Compliance And The Theory Of Planned Behaviour Among Food Truck Traders In Kuala Lumpur And Selangor****454**

Farah Shahwahid, Noor Raudhiah Abu Bakar &amp; Siti Hawa Radin Eksan

**Islamic Non-Governmental Organizations And Development In Ghana****457**

Mohammed Zulkarnain, Dr. Mohamad Zaini Abu Bakar &amp; Dr. Azmil Mohd Tayeb

**WAQF & GREEN ECONOMY****Kelestarian Alam Terhadap Pembangunan Harta Tanah: Satu Tinjauan Awal Terhadap Pembangunan Harta Tanah Wakaf Seetee Aisah****476**

Muhamad Hazrin Sayuti &amp; Assc. Prof. Dr. Zakaria Bahari

**Pembangunan Hijau Satu Analisis Dari Perspektif Pembangunan Harta Tanah Wakaf Yang Produktif****489**

Dr. Shaik Abdullah Hassan Mydin & Muhammad Azim Sulaiman

**Exploring The Green Waqf Development Concept For Malaysia**

**497**

Mohammad Zulfakhairi Mokthar

**Implementation Development Waqf: An Analysis Development Of Waqf Hotels By Jawhar In Malaysia**

**504**

Sakinatul Raadiyah Abdullah & Assc. Prof. Dr. Zakaria Bahari



# **Risk Management In The Implementation Of *Musyarakat Mutanaqisat* Home Financing Contract In Selected Banks**

**Siti Maryam Idris & Zakaria Bahari**

Universiti Sains Malaysia, Pulau Pinang, Malaysia

## **Abstract**

The implementation of *Musyarakat Mutanaqisat* financing contract in Malaysia is still inadequate compared to other countries such as those in the Middle East. In Malaysia, there are 10 Islamic local banks comprise of Affin Islamic Bank Berhad, Maybank Islamic Berhad, CIMB Islamic Bank Berhad, Hong Leong Islamic Bank Berhad, RHB Islamic Bank Berhad and others. However, this article only focuses on two local banks (Affin Islamic Bank Berhad & RHB Islamic Bank Berhad) which offer the *Musyarakat Mutanaqisat* home financing contract. The implementation of *Musyarakat Mutanaqisat* home financing contract is less favoured by local banks in Malaysia because it brings higher risk compared to other home financing contracts (Mahmood Muhammad, 2014). The high risk has to be borne by the banks especially due to the sharing element in *Musyarakat Mutanaqisat* home financing contract (Rulindo, 2009). Is this statement true? If so, what are the actions that banks need to take in order to control these risks? This article aims to identify, analyse, and summarise the risk management in the implementation of *Musyarakat Mutanaqisat* home financing contract in local banks in Malaysia. A total of four informants comprising two selected Islamic banking officers from Affin Islamic Bank Berhad and RHB Islamic Bank Berhad as well as two academic experts in the field of Islamic banking are involved in the discussion of the implementation of risk management in the *Musyarakat Mutanaqisat* home financing contract. Semi-structured interviews are conducted on the informants by using purposive sampling method. The findings of this article comprise of discussions on the types of risks inherent in the *Musyarakat Mutanaqisat* home financing contract. The risks consist of credit risk, liquidity risk, Syariah risk, operational risk and investment equity risk. The risk management of the *Musyarakat Mutanaqisat* home financing contract by Islamic banking institutions includes three stages namely the early stage of the agreement, the current stage of the agreement and the final stage of the agreement.

**Keywords:** musyarakah mutanaqisah, *Musyarakat Mutanaqisat* , musyarakah, home financing

## **INTRODUCTION**

*Musyarakat Mutanaqisat* home financing contracts have certain risks similar to other housing finance contracts such as *Bay' Bithaman Ajil*, *Tawwaruq* and others home financing contract. However, different risks may exist in every home financing contract offered. The *Musyarakat Mutanaqisat* home financing contract covers the elements of partnership which state that the bank and the customer are partners in the agreement. Indirectly, it creates risks which both

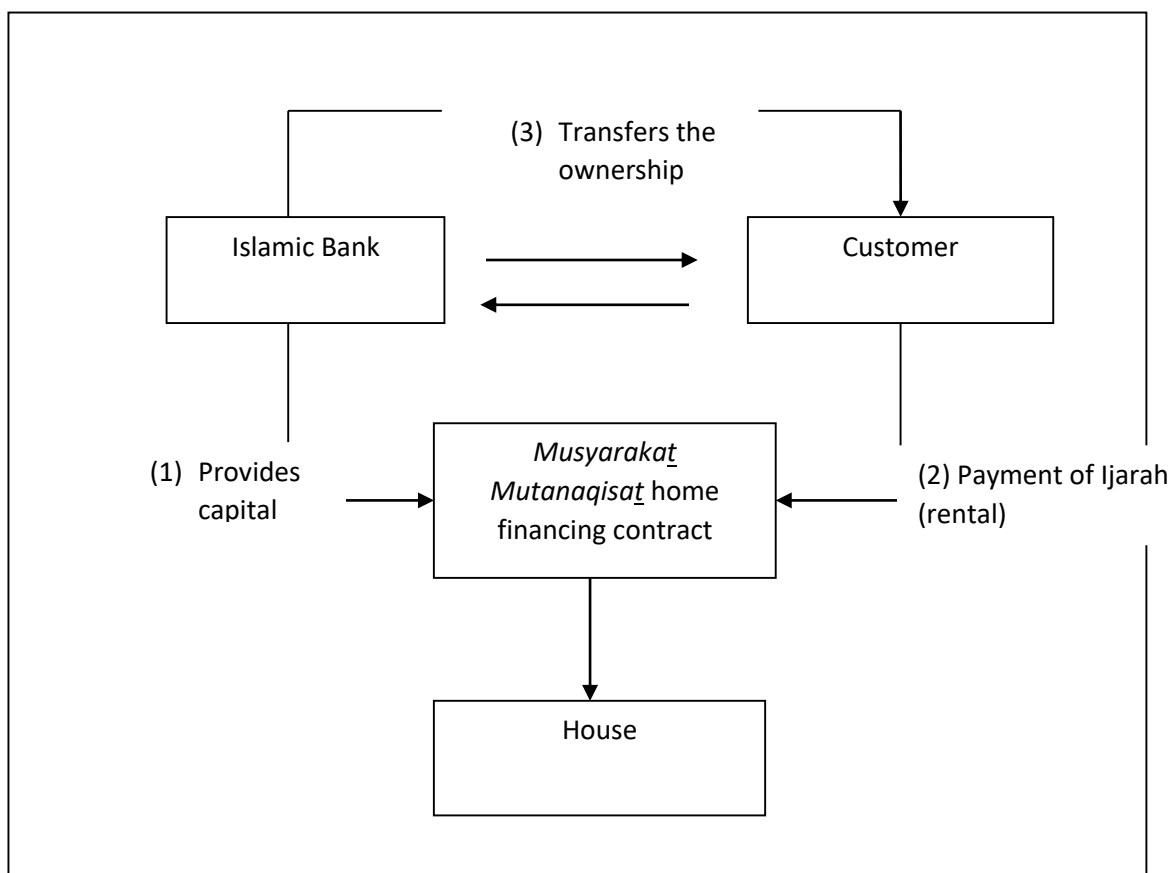
parties have to bear. One party is exposed to greater risk if the other party violates the agreement. Based on the elements of this partnership, there are several risks involved, such as credit risk, market risk, operational risk and investment equity risk (Rulindo, 2009). However, Investment Finance (2014) states that other inherent risks such as credit risk will also ultimately lead to liquidity risk. Changing the risks inherent in the *Musyārakaṭ Mutanāqishaṭ* home financing contract also requires appropriate risk management to anticipate the ancillary risks that will appear throughout the agreement between the customer and the bank. Based on previous studies, research on risk management focusing more on *Musyārakaṭ Mutanāqishaṭ* home financing contracts has yet to be conducted, so the researcher is inclined to review the topic of risk management associated with the *Musyārakaṭ Mutanāqishaṭ* home financing contract. Additionally, this study is important for the banks especially in ensuring that risk management will minimize the negative impact on the banking system. In addition, the researcher emphasise the concept of *Musyārakaṭ Mutanāqishaṭ* in home financing products which is seen to coincide with Shariah Law and has the potential to be a contract that further helps customers in home ownership.

The contribution of this study also includes two aspects, which are the theoretical and empirical aspects. Theoretical aspects involve the development of knowledge in banking, housing finance as well as risk management practices that can be practiced by banks in Malaysia. The empirical aspect involves the implementation of the banking system in managing the risk of *Musyārakaṭ Mutanāqishaṭ* home financing according to efficient measures. Furthermore, it can attract more local banks to offer their own *Musyārakaṭ Mutanāqishaṭ* home financing contracts in the near future. In this regard, this paper aims to review the implementation of risk management by local banks in Malaysia for *Musyārakaṭ Mutanāqishaṭ* home financing contract. The researcher also stated the formulation and suggestion on the implementation of *Musyārakaṭ Mutanāqishaṭ* home financing contract. This paper comprised of five subtopics which is introduction, the concept of *Musyārakaṭ Mutanāqishaṭ*, the types of risk in *Musyārakaṭ Mutanāqishaṭ* home financing contract, discussion and summary.

## **THE CONCEPT OF *MUSYĀRAKAṬ MUTANĀQIṢAṬ* HOME FINANCING CONTRACT**

Based on the agreement stated in the *Musyārakaṭ Mutanāqishaṭ* housing financing contract, customers and banks form a partnership in housing ownership. The bank will issue a certain amount of capital to buy a house that is involved in the advance agreement. Therefore, the bank has full ownership of the house purchased at the beginning of the agreement. Next, the bank will rent the property to customer based on the *Ijarah* concept (rental). Payment of *Ijarah* which will be made by the customer in installments will slowly transfer the ownership of the customer to the house. Indirectly, the bank will also slowly lose the ownership of the house. *Ijarah* payment process continues until the full payment of the house is made by the customer. After that, the customer obtains full ownership of the house (Bank Negara Malaysia, 2015). In addition, there are two conditions of housing that have been used in this contract. First is the finished house and the other is unfinished house. These two conditions may give different level of risk to the bank as well as to the customer. Regarding to Joni Tamkin Borhan (Direct Communication, July 2016), unfinished house may cause high risks to the customer or bank if the developer cannot fulfill the agreement in time. Worst case scenario may happen if the developer totally neglects the construction and abandon the

house. This will lead the bank and customer in jeopardy. The agreement process based on the concept of *Musyārakaṭ Mutanāqisaṭ* home financing contract is briefly described in diagram 1.



**FIGURE 1 : THE PROCESS OF *MUSYARAKAṬ MUTANAQISAṬ* HOME FINANCING CONTRACT**

### **The Development Of *Musyārakaṭ Mutanāqisaṭ* Home Financing In Malaysia**

A foreign investment bank in Kuwait, which is Kuwait Finance House (KFH) started implementing this contract in 2006. KFH is said to be the first Islamic bank to undertake a *Musyārakaṭ Mutanāqisaṭ* home financing contract in Malaysia (KFH Annual Report, 2006). Afterwards, other banks in Malaysia began to offer *Musyārakaṭ Mutanāqisaṭ* home finance contracts. Affin Islamic Bank Berhad is the first local bank to undertake a *Musyārakaṭ Mutanāqisaṭ* home financing contract with the developers in Penang in 2008. The bank also consistently pursued deals using the *Musyārakaṭ Mutanāqisaṭ* home financing contract despite the fact that most other local banks have stopped offering this contract. In addition, other local banks, such as RHB Islamic Bank Berhad, began offering home financing contracts based on the *Musyārakaṭ Mutanāqisaṭ* concept in November 2007. The *Musyārakaṭ Mutanāqisaṭ* home financing contract replaced *Bay 'Bithaman Ajil's* home financing contract in full in June 2008. The changes occur because *Bay 'Bithaman Ajil's* financing contract involves in many issues regarding Syariah for example this financing involved in debt financing which profit was determined beforehand. Although some of the scholar in Islamic banking find this contract is permissible in Islam, but this contract still creates doubts among the other scholars. It is because the system involved in *Bay 'Bithaman Ajil's* financing contract seems

similar with the conventional system. RHB Islamic Bank Berhad also offers a *Musyārakaṭ Mutanāqīṣaṭ* -based product that aims to finance unprepared homes. This product was originally offered by RHB Islamic Bank Berhad in October 2008. Until then, only the *Musyārakaṭ Mutanāqīṣaṭ* home financing contract involving the full-service house was offered by RHB Islamic Bank Berhad (Mohd Sollehuiddin Shuib, Joni Tamkin Borhan, & Muhammad Nasri Md Hussain 2011). As for 2017, only two local bank in Malaysia offer *Musyārakaṭ Mutanāqīṣaṭ* home financing contract. The banks are Affin Islamic Bank Berhad and RHB Islamic Bank Berhad.

### **Studies Of The *Musyārakaṭ Mutanāqīṣaṭ* Home Financing Contract**

Based on the research conducted, studies on *Musyārakaṭ Mutanāqīṣaṭ* home financing contract focused more on the concepts in the products offered by local banks. In this regard, the researcher found that the studies were only limited to the conceptual elements of the *Musyārakaṭ Mutanāqīṣaṭ* itself and discussion of the common issues in the *Musyārakaṭ Mutanāqīṣaṭ* home financing contract. Common issues include the discussion of the risks inherent in the *Musyārakaṭ Mutanāqīṣaṭ* home financing contract. However, these studies do not explain how to mitigate the risks inherent in this contract, thereby managing the risks in a more cost-efficient *Musyārakaṭ Mutanāqīṣaṭ* home financing contract. This is because the researcher believes that a good risk management will allow the *Musyārakaṭ Mutanāqīṣaṭ* home financing contract to be offered and widely used in Malaysia. Hence, the design of explanatory research is used to conduct a study on risk management on the *Musyārakaṭ Mutanāqīṣaṭ* home financing contract. Data collection methods include field work studies involving semi-structured interviews with informants. The type of sample used in this research is purposive sampling. The sampling's aim is to produce a sample bound to the objective of study alone (Palys, 2008). The semi-structured in depth interview was chosen so that the information obtained is deeper and dependent on the discussion with each informant. This is important for researchers to ensure that ongoing discussions do not conflict with the raised questions (Mathers, Fox, & Hunn, 1998). In addition, a review of documents was conducted to review past studies pertaining to *Musyārakaṭ Mutanāqīṣaṭ* home financing contract as well as risk management in Islamic banking. The method of analyze data is carried out by using textual analysis. This textual analysis is a method by which the researcher identifies or describes the purpose of a message based on the texts (Frey, Botan, & Kreps, 1999).

### **RISK TYPES IN DEVELOPMENT OF HOUSING FINANCING DEVELOPMENT MUTANAQISAT COMMUNITY**

Financial risk is divided into systematic risk and non-systematic risk. Systematic risk is categorized as an external factor that affects financial institutions while non-systematic risk typically affects the more specific sector for example, technology in an institution (Hacioglu & Hasan Dincer, 2014). Based on Ronald Rulindo's (2009) statement, there are four types of risks inherent in the *Musyārakaṭ Mutanāqīṣaṭ* home financing contract namely credit risk, market risk, operational risk and equity investment risk. However, the Investment and Finance (2014) adds that liquidity risks will arise through other risks. This statement is supported by the four informants involved in the study. This is because certain risks can lead to new risks coming into existence. In other words, the risks are not standalone risks, but may

also lead to more relevant risks, which will further jeopardise the *Musyārakat Mutanāqishat* home financing agreement (Azlan Shah Nabees Khan, Direct Communication, May 21, 2016; Joni Tamkin Borhan, Direct Communication, 2016 & Taqiuddin Mohammad, Direct Communication, July 15, 2016). Accordingly, this study examines the five types of risks inherent in the *Musyārakat Mutanāqishat* home financing contract. The five types of risks comprise of credit risk, operational risk, liquidity risk, Syariah risk and equity investment risk.

### **Credit Risk**

Credit risk is classified as the dominant risk in banking either in Islamic banks or conventional banks. Credit risk is associated with the ability of the customer to repay the amount of financing that has been made in accordance to the terms of the agreement. Credit risk will arise if the customer fails to repay the bank within a certain period of time. Credit risk is also able to create other risks such as liquidity risk (Muhammad Nasir, Written Interview, June 21, 2016). Irawan Febianto (2012) notes that credit risk occurs in Islamic banking when the financial instruments owned by the bank fail to meet the prescribed conditions (for example banking investment bonds)

### **Operating Risk**

Operational risk is a burden that involves bank operations in managing arrears or customer debt (Azlan Shah Nabees Khan, Direct Communication, May 21, 2016). This involves documentation, laws and so on. Banks are forced to spend extra money on managing the payment due to customers failing to repay the rent in the *Musyārakat Mutanāqishat* home financing contract (Azlan Shah Nabees Khan, Direct Communication, May 21, 2016). Indirectly, the risk of this operation can lead to the presence of other risks. For example the cost bear by the bank may inherent operational risk and it can affect the liquidity in the bank. It may cause liquidity risk and this problem will create another risk (Rulindo, 2009).

### **Liquidity Risk**

Liquidity risk occurs when the bank is experiencing a lack of cash flow that reduces the ability of the bank to reach the level of liability available. In other words, losses or costs incurred by the bank will result in the bank failing to achieve a balance between total assets and liabilities (Irawan Febianto, 2012 & Taqiuddin Mohamad, Direct Communication, July 15, 2016). The imbalance of total assets and liabilities usually occur when the total liabilities exceed the total of assets. This result may affect the bank's cash flow.

### **Syariah Risk**

Syariah Risk often occurs in Islamic banking, among which is due to improper documents along with Shariah principles and confusions raised about the legal aspects of the Muamalat which indirectly affects the undertaking of the contract (Azlan Shah Nabees Khan, Direct Communication, May 21, 2016).

### **Equity Investment Risk**

Equity investment risk occurs when a bank equity investment hold is carried out during a non-reduction economic situation. This is a result of poor market conditions (Kamal Abdelkarim Hassan & Hassan Ahmed Yusuf, t.t). This risk is inherent in the *Musyārakaṭ Mutanāqīṣaṭ* home financing contract because of the element of partnership involving partner equality. If a partner violates a predetermined agreement, the bank is vulnerable to investment equity risk.

### **RISKS IN *MUSYĀRAKAṬ MUTANĀQIṢAṬ* HOME FINANCING CONTRACT**

Based on the interviews conducted on the informants, all informants stated that credit risk is the dominant risk in *Musyārakaṭ Mutanāqīṣaṭ* home financing contract. The recorded statements are as below.

*"From the perspective of the bank in particular, credit risk is the most dominant risk. This risk usually occurs when customers cannot pay a pre-determined rental rate."* (Azlan Shah Nabees Khan, Direct Communication, May 21, 2016)

*"When Ijarah arise, issues such as credit risk will be borne by the bank when the customer can not afford to pay."* (Taqiuddin Mohammad, Direct Communication, July 15, 2016)

*"Credit risk is the most dominant risk because the customer's credit profile may change over time due to debt commitments and so on. In addition, rental rates that are changing according to market prices also increase the debt burden on customers. This will expose banks to risks where customers can not afford to pay for their monthly rental."* (Muhammad Nasir, Written Interview, June 21, 2016)

The impact on the bank when the customer fails to repay the prescribed rental rate also includes liquidity risk. This is because the bank's revenue will be severely affected as the investment used by the bank comprising deposits of depositors will be affected. It takes into account in the unstable economic situation where the depositors withdraw their money, thus affecting the cash flow of the bank. The lack of revenue may affect the balance of assets and liabilities of the bank (Taqiuddin Mohamad, Direct Communication, July 15, 2016).

*"Banks need to maintain its financial stability because the use of money by banks is not fully from the bank's property. The money is from the depositors."* (Taqiuddin Mohammad, Direct Communication, July 15, 2016)

Additionally, the failure of customers to repay the *Ijarah* will cause a risk in operations. This is because the situation that gives losses to the bank will indirectly create additional costs to the bank. The additional costs incurred by the bank is an operational risk which will be a burden to the bank financially. Other risks arising from operational risks also often occur in the *Musyārakaṭ Mutanāqīṣaṭ* home financing contract. Among them, is the Shariah risk that occurs when the documents used in the contract deal creates confusion regarding the Syariah law.

*"From the Shariah point of view, there has been a case where Musyārakaṭ Mutanāqīṣaṭ home financing process is implemented as a conventional lending process."* (Azlan Shah Nabees Khan, Direct Communication, May 21, 2016)

Based on the above statement, the confusion in the document will lead to Shariah risks and it is required that the agreement be made into a new agreement to ensure that the applicable contract is Shariah-compliant. In addition, issues will arise from the Shariah perspective when there is a case in regards to the auction of a house. The issues arise when the customer can not pay the *Ijarah* according to the agreement. When the house is auctioned because of that, in accordance with the true Shariah concept, the customer is still entitled to get a portion of the auction revenue based on the ratio paid (Joni Tamkin Borhan, Direct Communication, July 14, 2016).

## DISCUSSION

Bank Negara Malaysia (2015) notes that an efficient risk management framework embraces the three main stages in the *Musyārakaṭ Mutanāqīṣaṭ* home financing contract. The stage comprises the initial stage of the agreement, the current stage of the agreement, as well as the final stage of the agreement.

The preliminary stage of the agreement includes bank actions to identify customer information such as customer background, customer status whether it is eligible to receive the financing, and whether the customer's information is accurate and comply with the stipulated conditions. This process is made in the early stages of the agreement to ensure that risks to the bank can be avoided. The process of profiling the customer is a step by the bank to identify more about the quality and potential of customers. This is because in the *Musyārakaṭ Mutanāqīṣaṭ* home financing contract, the client does not only serve as the party that receives the financing offered by the bank, but is also a partner to the bank. In addition to monitoring customers, the bank also conducts monitoring of housing developers involved in the *Musyārakaṭ Mutanāqīṣaṭ* agreement. This step is also important to ensure that the houses involved in the *Musyārakaṭ Mutanāqīṣaṭ* home financing contract are free from any problems such as unprepared houses or developers breaching the agreement (Taqiuddin Mohammad, Direct Communication, July 15, 2016).

Subsequent to the agreement, the bank should take precautionary measures and constantly monitor the ongoing financing of the *Musyārakaṭ Mutanāqīṣaṭ* home financing contract. Credit management principles cover long-term relationships between customers and banks (Mishkin, 2015). This can be seen from the steps taken by the bank to ensure that the possible risks in the *Musyārakaṭ Mutanāqīṣaṭ* home financing contract can be minimised during the agreement. The operating system of the bank should not focus on customer monitoring only, but on all aspects seen as potential risks to the *Musyārakaṭ Mutanāqīṣaṭ* home financing contract. Out of all aspects, focusing on managing the parties involved (developers and customers) in the *Musyārakaṭ Mutanāqīṣaṭ* home financing contract will reduce the common problems that occur in this contract such as unprepared housing issues (Joni Tamkin Borhan, Direct Communication, July 14, 2016).

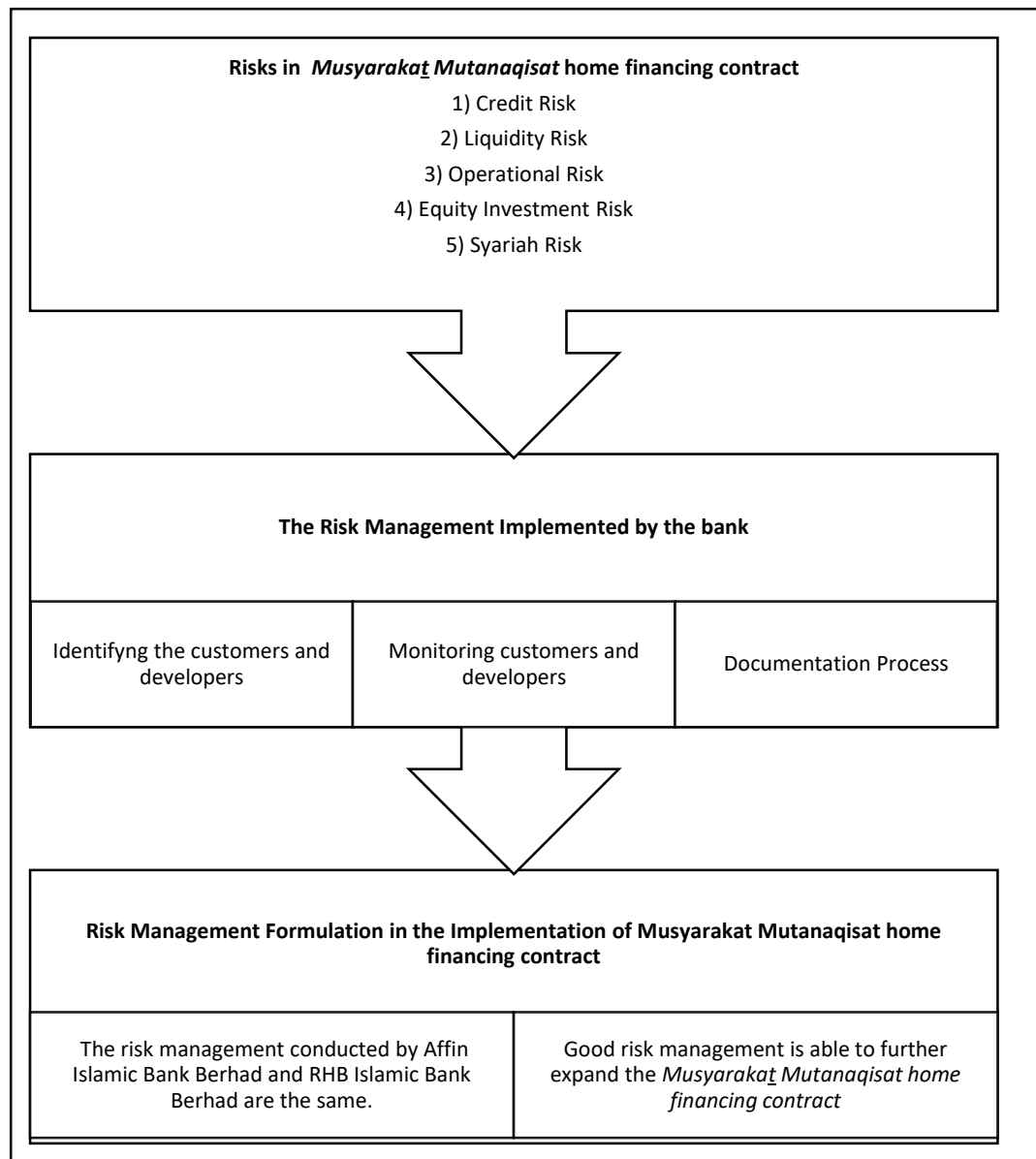
However, good risk management also covers the whole phase of the agreement. In other words, the final stages of the agreement is also important for the bank in risk management. The monitoring process needs to be carried out and the current status of the subscribers need to be recorded. Documents relating to the transfer of inter-bank house and customer rights should also be carefully reviewed so that no confusion arises during the house transfer process. In addition, legal aspects involving the documentation process should be submitted to a specialist in the legal jurisdiction. This is because the bank must always be sensitive to matters involving the law, so it is very important for the bank to obtain a certified service so that the final stage of the *Musyārakaṭ Mutanāqishaṭ* home financing contract goes well (Bank Negara Malaysia, 2015). Risk management measures for *Musyārakaṭ Mutanāqishaṭ* home financing contract are vital to increasing the interest of local banks in offering this contract. Furthermore, through the research conducted by the researcher, the *Musyārakaṭ Mutanāqishaṭ* home financing contract has great potential to be implemented extensively in Malaysia. This statement is supported by the informants involved in this study.

*"The Musyārakaṭ Mutanāqishaṭ home financing contract has huge potential but it comes with a huge risk. Therefore, good risk management will provide more profitable returns. "(Muhammad Nasir, Written Interview, June 21, 2016).*

*"Home financing management in Islamic banking should highlight the Shariah concept as well as Shariah compliance. If the risk management is Shariah-compliant, then the Musyārakaṭ Mutanāqishaṭ home financing contract can be further expanded in Malaysia. "(Joni Tamkin Borhan, Direct Communication, July 14, 2016)*



Figure 2 shows the formulas for the findings of risk management studies in *Musyarakat Mutanaqisat* home financing contract.



**FIGURE 2 : SUMMARY OF RISK MANAGEMENT IN THE IMPLEMENTATION OF *MUSYARAKAT MUTANAQISAT* HOME FINANCING CONTRACT**

## SUMMARY

Risk management plays an important role in promoting the supply of *Musyarakat Mutanaqisat* home financing contracts in Malaysia. Additionally, the poor supply of *Musyarakat Mutanaqisat* home financing products can be managed if good risk management can be carried out by banks according to the true Shariah principles. This will allow the *Musyarakat Mutanaqisat* home financing contract to be better developed in Malaysia especially among local banks. In this regard, banks are encouraged to carry out the efficient and true Shariah risk management so that the risks in *Musyarakat Mutanaqisat* home

financing contract can be overcome thus attracting other banks to offer *Musyārakah Mutanāqisah* home financing contract more extensively.

## RUJUKAN

- Abdullah Eroglu, Seref Kalayci, Gultekin Ozdemir, A., Cetin C., & Usul H. (2012). Generalized formulae for Islamic home financing through the Musharakah Mutanaqisah contracts. *Afro Eurasian Studies*, 1(1), 126-133
- Abid Mahmood Muhammad. (2014). Critical analysis of some of the major internal hindrance factors in the application of Musharakah financing by the Islamic banks. *International Journal of Education and Research*, 2(9).
- Ahamed Kameel Mydin Meera, & Dzuljastri Abdul Razak. (2009). Home financing through the Musharakah Mutanaqisah contracts: Some practical issues. *Islamic Economics*, 22(1), 3-27.
- Ahamed Kameel Myding Meera, & Dzuljastri Abdul Razak. (2005). Islamic home financing through Musyarakah Mutanaqisah and Al-Bay' Bithaman Ajil contracts: A comparative analysis. Kertas kerja dibentangkan di Kuliyyah of Economics and Management Sciences International Islamic of University Malaysia, Selangor, Malaysia. Diakses dari <http://www.ahamedkameel.com/wpcontent/uploads/2014/01/MMPPaper.pdf>
- Bank Negara Malaysia. (2007). Financial stability and payment systems report 2007. Diakses dari Bank Negara Malaysia website: [http://www.bnm.gov.my/files/publication/fsps/en/2007/cp03\\_002\\_whitebox.pdf](http://www.bnm.gov.my/files/publication/fsps/en/2007/cp03_002_whitebox.pdf)
- Bank Negara Malaysia. (2013, June 30). Bank Negara Malaysia. Diakses dari [http://www.bnm.gov.my/?ch=bm\\_legislation&pg=bm\\_legislation\\_act&ac=1083&lang=bm](http://www.bnm.gov.my/?ch=bm_legislation&pg=bm_legislation_act&ac=1083&lang=bm) pada 5 November 2015.
- Bank Negara Malaysia. (2015, April 20). Bank Negara Malaysia. Diakses dari [http://www.bnm.gov.my/guidelines/05\\_shariah/Musyarakah.pdf](http://www.bnm.gov.my/guidelines/05_shariah/Musyarakah.pdf)
- Frey, L., Botan, C., & Kreps, G. (1999). Investigating communication: An introduction to research methods (Ed. 2). Boston: Allyn & Bacon.
- Hacioglu, U., & Hasan Dincer. (2014). *Managerial issues in finance and banking. A strategic approach to competitiveness*. Switzerland: Springer International Publishing.
- Investment & Finance. (2014, September 8). Investment & finance. Diakses dari <http://investment-and-finance.net/islamic-finance/tutorials/risks-associated-with-musharakah-contract.html>
- Irawan Febianto. (2012). Adapting risk management for profit and loss sharing financing of Islamic banks. *Modern Economy*, 3, 73-80.
- Mahmood Abdul Al Rahman Abushareah, & Asmadi Mohamed Naim. (2015). The practices of Musharakah mutanaqisah in Islamic financial institutions. *International Journal of Education and Social Science*, 2(3). Diakses dari <http://www.ijessnet.com/wp-content/uploads/2015/03/12.pdf>
- Mishkin, F. S. (2015). *Economics of money, banking, & financial markets* (10th ed.). Pearson.
- Mohd Sollehuiddin Shuib, Ahmad Azam Sulaiman@Mohamad, & Mohammad Taqiuddin Mohamad. (2011). Middle east bank and their challenge operation in malaysia: A case study on kuwait finance house malaysia berhad. *African Journal of Business Management*, 5(11), 4000-4006.

- Mohd Sollehuiddin Shuib, Joni Tamkin Borhan, & Muhammad Nasri Md Hussain. (2011). Pembiayaan perumahan secara Musharakah Mutanaqisah di RHB Islamic berhad (RHBIB): Analisis kelebihan, isu, dan cabaran dalam penawaran produk. *Al Basirah*, 1(1), 135-148.
- Mohd Sollehudin Shuib, Mohd Zaidi Daud, & Ahmad Azam Sulaiman@Mohamad. (2013). Isu dalam pembiayaan perumahan: Analisis perbandingan produk berasaskan Musharakah Mutanaqisah dan konvensional. *Jurnal Teknologi (Social Sciences)*, 66(1), 67-78.
- Mohd Yusra Abdullah. (2012). Pelaksanaan akaun pelaburan emas menurut perspektif ekonomi Islam: Kajian di Kuwati Finance House (Malaysia) Berhad/ (KFHMB) (Tesis Sarjana tidak diterbitkan). Universiti Malaya, Kuala Lumpur, Malaysia.
- Nadrattuzaman Hosen. (2009). Musyarakah mutanaqishah. *Al-Iqitshad*, 1(2), 47-60. Diakses dari <http://download.portalgaruda.org/article.php?article=389730&val=6183&title=MUSYARAKAH%20MUTANAQISHAH>
- Noor Mohammad Osmani, & Md Faruk Abdullah. (2010). Musharakah Mutanaqisah home financing: A review of literatures and practices of Islamic banks in Malaysia. *International Review of Business Research Papers*, 6(2), 272-282.
- Nooraslinda Abdul Aris, Rohana Othman, Rafidah Mohd Azli, Roshayani Arshad, Mardiyah Sahri, & Abdul Razak Yaakub. (2012). Islamic house financing: Comparison between Bai' Bithaman Ajil (BBA) and Musharakah Mutanaqisah (MM). *Journal of Business Management*, 6(1), 266-273.
- Noraziah Che Arshad, & Abdul Ghafar Ismail. (2010). Shariah parameters for Musharakah contract: A comment. *International Journal of Business and Social Science*, 1(1), 146-160. Diakses dari <http://ijbssnet.com/journals/13.pdf>
- Nuruddin Abdul Karim Kawamelah. (2008). Musyarakah Mutanaqisah and its contemporary practice: Jordan Islamic Bank as an example. Amman, Jordan. Dar Al-Nafais.
- Nurul Izzah Noor Zainan, & Abdul Ghafar Ismail. (2013). Musyarakah mutanaqisah: Isu dan cabaran, kesan terhadap pembangunan ekonomi, 1, 406-413.
- Nuruleifaa Noordin. (2010). Konsep dan pelaksanaan Musyarakah Mutanaqisah dalam pembiayaan perumahan: Satu kajian perbandingan di antara Maybank Islamic (M) berhad dengan Kuwait Finance House (M) berhad. (Disertasi Sarjana tidak diterbitkan). Universiti Sains Malaysia, Malaysia.
- Pejman Abedifar, Molyneux, P., & Amine Tarazi. (2012). Risk in islamic banking. Diakses dari [https://hal-unilim.archives-ouvertes.fr/hal-00915115 /document](https://hal-unilim.archives-ouvertes.fr/hal-00915115/document)
- Rashidah Abdul Rahman, Ahnaf Alsmady, Zuraeda Ibrahim, & Aliyu Dahiru Muhammad. (2014). Risk management practices in Islamic banking institutions: A comparative study between Malaysia and Jordan. *Journal of Applied Business Research*, 30(5).
- Ridwan M., & Shahrudin. (2013). Implementasi musyarakah mutanaqisah sebagai alternatif pembiayaan murabahah di perbankan Syariah Indonesia. *TSAQAFAH*, 9(1), 102-120. Diakses dari [https://www.researchgate.net/publication/305985382\\_Implementasi\\_Musyarakah\\_Mutanaqisah\\_sebagai\\_Alternatif\\_Pembiayaan\\_Murabahah\\_di\\_Perbankan\\_Syariah\\_Indonesia](https://www.researchgate.net/publication/305985382_Implementasi_Musyarakah_Mutanaqisah_sebagai_Alternatif_Pembiayaan_Murabahah_di_Perbankan_Syariah_Indonesia)
- Rulindo, R. (2009, November). Understanding unique risks of Islamic banking. Paper presented at Islamic Financial Services Board, Kuala Lumpur, Malaysia.

- Shamsul Rijal Muhammad Sabri. (2013). Willingness of the Musharakah Mutanaqisah partnership in bearing the loss - An actuarial approach to evaluate the bank's investment income by the case of abandoned housing project, 5(2), 117-120.
- Siti Fariha Muhamad, Azira Hanani Abd Rahman, & Siti Khalidah Puteri Khalid. (2013). An evaluation on Musyarakah Mutanaqisah based house financing by Islamic banks in Malaysia, 1286.
- Siti Rodiah Hasana, & Iwan Triyuwono. (t.t.). Studi kasus pada pembiayaan Musyarakah Mutanaqisah di Bank Muamalat Indonesia cabang Malang. Manajemen Risiko Pembiayaan.

#### **INTERVIEW LIST**

- Interview with Azlan Shah Nabees Khan, Bank Officer in Affin Islamic Bank Berhad, at 21 May 2016 through telephone call.
- Interview with Joni Tamkin Borhan, Senior Lecturer in Department of Syariah and Economics, Universiti Malaya, at 14 July 2016, through telephone call.
- Interview with Muhammad Nasir, Bank Officer in RHB Islamic Bank Berhad, at 21 June 2016 through email.
- Interview with Taquiuddin Mohammad Senior in Department of Syariah and Economics, Universiti Malaya, at 15 July 2016, through telephone call.

# **Optimizing Sukuk-Linked Waqf to Enhance Investors' Interest in Islamic Capital Market through Building Sharia Hotel in Bali**

**Arienka Prilitaningtyas, Mia Muita Abdullah & Putri Utami**

Faculty of Economics and Business, Universitas Indonesia,  
Depok, Indonesia

## **Abstract**

Indonesian interests to make some investments in capital market are far below the amount in banking sector. This is because people are lack of financial literacy in capital market and have a tendency to avoid risk. For that reason, the interests to invest in capital market is lacking and also lead to the lack of investment in Islamic capital market. As Government do a support to intensify Islamic Economy in Indonesia, thru Bank Indonesia, They promote the issuance of sukuk which is linked to waqf. Based on data from Indonesia waqf board, there is large amount of asset waqf in Indonesia, but it has not managed as a productive asset yet. To solve that problem, sukuk-linked waqf can be implemented by using it as an instrument to finance sharia hotel project in Bali. Bali is being chosen for its popularity as a travelling destination, this brings a potential to enhance investors' interest to invest on this project. Furthermore, this project is being selected with purpose to make Bali more Muslim-friendly through a hotel that can provide both Muslim-friendly accommodation and certified halal cuisine since not all of the activities in Bali operate under sharia law. The purpose of this paper is to analyze the potential of sukuk-linked waqf to enhance investors' interest in Islamic capital market through building sharia hotel in Bali. The methodology of this study is a qualitative approach with literature study. The collected data is then being revised, reduced, analyzed and processed to get a conclusion. The result showed that cooperation between Government, which is maintained by SOE's, with Indonesia Waqf Board to build sharia hotel in Bali can: enhance Indonesian interests to invest in Islamic capital market through Sukuk-linked waqf, increase Muslim Travelers to come to Bali and make Bali more Muslim-friendly as a tourism area.

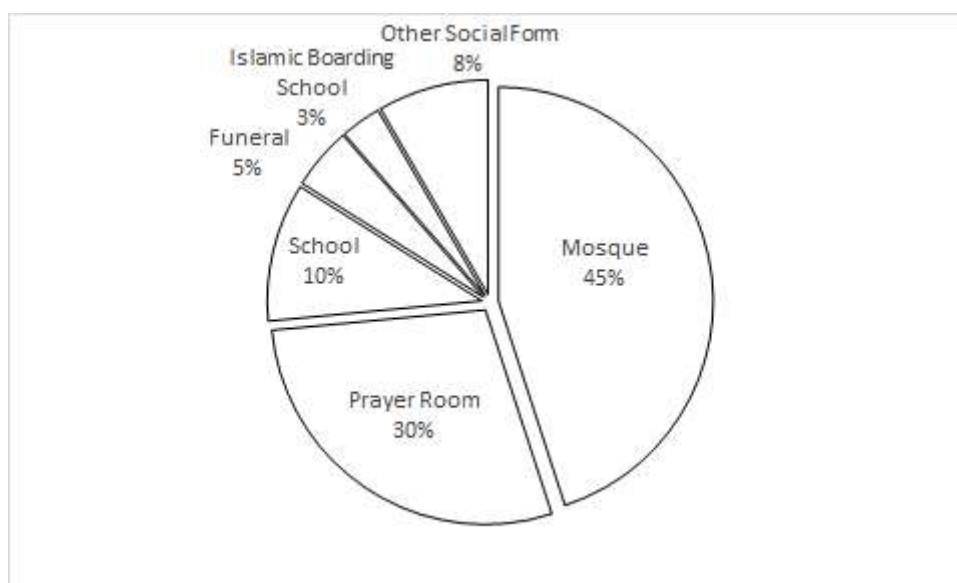
**Keywords:** Islamic capital market, sukuk-linked waqf, sharia hotel

## **INTRODUCTION**

The willingness of Indonesia people to invest in capital market is still low compared to the amount they have saved on banking. The total amount of capital market investment in Indonesia also left behind if compared to other countries in ASEAN. This circumstance is

caused by Indonesian which lacking of financial literacy about capital market. They also have a tendency to avoid risky activity. Comparing to the banking, the number of customers of this sector in 2015 has reached 95 million people from all over Indonesian population (Indonesia Financial Service Authority (OJK), 2015). On the other hand, the number of Indonesian investors in capital market is far behind from banking have made which are only about one million Single Investor that Identified by Central Securities Depository (KSEI). In ASEAN, percentage of investors in Indonesia is only about 0.39%. This number is far behind Malaysia and Singapore that reach up to 20-30%. This lack of interest to invest in Indonesian Capital Market, also lead to deficiency of readability on investment in Indonesian Islamic Capital Market.

As Indonesian Government earnestly supports the development of Islamic economy in Indonesia, There are some ideas to make a financial instrument for promoting Indonesia Islamic Capital Market. Nowadays, Bank Indonesia as Central Bank is developing an instrument which linking sukuk to waqf asset. Based on data from Indonesian Waqf Board (BWI), Indonesia has large amount of waqf in land form, but the lands have not been managed optimally. This condition is occurred because of the waqf assets still being utilized for unproductive activities on which used to build mosques, cemeteries and other unproductive activities.



**FIGURE 1: THE USAGE OF LAND WAQF**

Source: Waqf Information Systems of Indonesia Ministry of Religious Affair

That statement is valid since it's consistency along the published data by Ministry of Religious Affair in 2017 which Indonesia has about 47.868,26 Ha Land Waqf that distributed among 319.393 locations. Those lands waqf are being used for religious activities and education facilities, such as (a) Mosques 44.99%; (b) Prayer rooms 28.50%; (c) School 10.44%; (d) Cemeteries 4.68%; (e) Islamic Boarding Schools 3.05%; and (f) other social forms 8.34%.

## LITERATURE REVIEW

### Implementation of Waqf Management In Several Countries

In the actual practices, innovation will be required to manage assets waqf. Some of this following countries have their own way to utilize the waqf assets which owned by the country.

### **Singapore**

Waqf Management in Singapore is operated by Majilis Agama Islam Singapore (MUIS) which this institution has a specific job to supply Muslim needs in Singapore. MUIS manages not only the assets Waqf such as facilities to worship to Allah but also expand it for handling various productive assets. Productive asset that have managed by MUIS such as Telok Indang Property was a mosque and shops that transform to be an area with bigger mosque than before alongside the retail area and 20 units of apartment. Hence, the revenue that is generated from that assets will be used to fund the operating expenses of the Waqf assets. Furthermore, there is also new financing mechanism for waqf assets, that is the launching of sukuk in capital market with fulfilment of ISO9001 certified for Waqf management and administration in Singapore.

### **Saudi Arabia**

In Saudi Arabia, Waqf is officially managed by Ministry of Hajj and Waqf. Productive Waqf have already developed in this country, one of its usage of sukuk Waqf is for hotel around Ka'bah. It also builds housing and farms spread in various regions of Saudi Arabia. Moreover, Zam-Zam Tower, the tower that was built on Land Waqf from the Saudi Arabia King, is also managed by King Abdul Azis Waqf (KAAW). It is called sukuk Infitha'a with maturity term up to 24 years. Sukuk infitha'a is a type of sukuk which allows a buyer to rent space in the complex of Zam-Zam Tower during a specific time period.

#### **2.1.3 Indonesia**

Based on data from Ministry of religious affairs, the utilization of Waqf assets in Indonesia is dominated by Cemetery, school, prayer and another facility of worship until 1989. While, it indicates minimum utilization of the activities that can generate returns. Hencet, in 2004, UU number 41 year 2004 stated the regulation about waqf. In that act, it regulate regarding the development of Waqf in Indonesia, especially about Nadzhir, Asset Waqf, designation of asset waqf, cash and productive Waqf, and also the needs for establishment of Indonesia Waqf Board.

One of the consideration contained in UU number 41 year 2004 is about waqf have to be seen not only as a religious institution that only aims at providing various means of worship and social deeds, but also have economic potential for welfare, so waqf have to be utilized which comply the sharia principles.

### **Bali as the Potential Muslim-Friendly Travel Destination**

Based on the study that published in 2016 by MasterCard and Crescent rating about Global Muslim Travel Index (GMTI), 117 million Muslim travelers were estimated to visit travel destination all over the world in 2015. That number being projected will escalate to 168 million in 2020 which the travel expenditure expected to surpass USD 200 billion. Regarding to the prior study, Thomson Reuters published State of the Global Economy Report in 2016

that in 2021 Muslim traveler is expected to spend money up to USD 243 billion on which the number is 12.3% of the total expenditure from Muslim travelers around the world. Those numbers indicate the increasing of Muslim travelers in years.

The escalation Muslim travelers recently created many countries to rectify their tourism destination for being Muslim-friendly. According to Cresscent Rating, Muslim-friendly for tourism destination is the area on which the facilities providing faith-based needs for Muslim travelers such as prayer room and halal food.

MasterCard and Cresscent Rating published the list of Muslim travelers' tourism destination based on Global Muslim Travel Index (GMTI) in 2016. The index has indicators such as family-friendly holiday and safe travel destination, Muslim-friendly services and facilities at the destination, halal awareness and destination marketing. The following is the top 5 countries for Muslim travelers based on GMTI index :

**TABLE 2. TOP 5 DESTINATION FOR MUSLIM TRAVELERS BASED ON GMTI**

GMTI 2016 Rank	Destination	GMTI Score
1	Malaysia	81,9
2	United Arab Emirates	74,7
3	Turkey	73,9
4	Indonesia	70,6
5	Qatar	70,5

Source: MasterCard & Cresscent Rating

Table 2 shows Malaysia as the most top country that fulfills many criteria for being the best destination for Muslim travelers. Indonesia itself stands on the fourth position of the list. It can trigger Indonesia to increase their position consider the Muslim population in Indonesia is the biggest in the world.

As we know, Indonesia has a lot of tourism destination that is renowned not only in domestic but also in the world. Based on a survey conducted by TripAdvisor, the largest travel site in the world, Bali has been ranked as the most world's favorite destination of tourism. Bali itself became the only Asia's tourism destination which is ranked in the top five.

Bali is a top tourism destination in even in global's view. The name of Bali itself can be used as attraction for travelers in both domestic and global. This opportunity has to be taken advantage for Bali to become the tourism destination for Muslim travelers. Regarding the potential income that may increase from the global growing of Muslim travelers, Indonesia government and Regional Government of Bali have to consider Bali as destination as well for Muslim travelers. Bali tourism does not have to compete with Lombok as destination of Shariah Tourism but it is enough to rectify Bali itself to become a more Muslim-friendly tourism. Because it is still often to hear of Muslim travelers' complaints towards the hardship for looking for the halal food or places to pray in Bali.



The notion of Bali as one of the Muslim-friendly destination is not only words merely. The number of Muslim-travelers that have visited Bali is rapidly increase from year to year. It can be shown by the data of the visiting of travelers based on the regional of countries which published by Bali Government Tourism Office (Dinas Pariwisata Bali) in 2017. Middle East that known as the majority of Muslim countries can be used as a indicator of Muslim-travelers. The numbers of Middle East travelers has been increasing than last year in the same period such as this following:

**TABLE 3. COMPARISON OF BALI'S VISITORS FROM MIDDLE EAST REGION IN 2016 TO 2017**

Period	In year 2016	In year 2017
January	4,086	4,361
February	2,571	4,167
March	5,303	7,192
April	3,833	4,024
May	3,668	5,495
June	1,597	3,507
July	6,065	7,065
<b>Total Visitors</b>	<b>27,123</b>	<b>35,811</b>

Source: Bali Government Tourism Office

Table 3 is shown the increase of total travelers from Middle-East to Bali in the periods of January to July in year 2016 to 2017. There is an increasing number of total visiting up to 32.03% from Middle East countries to Bali. It can indicate that Muslim travelers do not in doubt anymore towards visiting Bali for tourism destination. From Table 4, it can be seen the growth of Middle East travelers is higher than the other world regions. Middle-East region only falls behind from the Africa region as the highest percentage of growth from total visiting Bali. Nevertheless, based on data from Bali Government Tourism Office, the majority travelers from Africa came from South Africa, Morocco, Tunis, and Algeria. The last three mentioned are known as the Muslim majority population countries. The increasing number of Muslim travelers to Bali cannot be separated from the allowing of direct flight recently from massive airlines such as Emirates and Etihad as well as the visit of King Sulaiman to Bali in early 2017.

Therefore in this circumstances, Bali should not neglect this opportunity to become a Muslim-friendly destination. By providing facilities which bolster the main needs of Muslim travelers, it is not impossible for Bali to become Muslim-friendly tourism destination in the world.

**TABLE 4. GROWTH PERCENTAGE OF TOTAL TRAVELERS FROM COUNTRIES REGION TO BALI IN 2016-2017**

Region of Countries	Percentage of Travelers' Growth (2016-2017)
Asian Pasific (Non-ASEAN)	24.44%
South East Asian (ASEAN)	5.94%
Middle East	32.03%
Africa	51.14%
America	29.82%
Europe	20.61%

Source: Bali Government Tourism Office

### **The Importance of Sharia Hotel**

With a great potential of Muslim-friendly tourism, Indonesia has massive opportunity in tourism, such as a large Muslim population, get the cability and participate in Muslim-friendly tourism. It can be executed by accommodating the needs of halal tourism from domestic and international Muslim travelers.

In fact, based on State of GIE Report 2014-2015, Indonesia is still far behind from other countries in many aspects, include Malaysia and Singapore. This obviousness can be taken by comparing some indicators such as Inbound Muslim Travel Score, Halal-Friendly Ecosystem, Awareness and Social. In general, Malaysia win the first place in which Malaysia has its superior in halal awareness, Inbound Muslim Travel and Halal-friendly ecosystem. On the other hand, Maldives, which one of the favorite tourism site in the world, is still superior in Social Score. In the second and the third place, there are United Arab Emirates (UAE) and Singapore with a significant margin from Malaysia.

Indonesia's score itself is still far behind those three countries. It shows there are many things that should be solved and fixed. So that Indonesia will be a favorite tourism destination that can be chosen by global Muslim Travelers.

One of many things that should be solved by Indonesia is the needs of Muslim Travelers that should be fulfilled so the Muslim Travelers get the best Muslim-friendly tourism experience. At this point, accomodation services became an important aspect, including Sharia Hotel. Based on State of GIE Report in 2014-2015, a hotel can be categorized as sharia one if they met the criterias, such as : (1) offering only certified halal food; (2) providing Qiblat sign; (3) Gender-based swimming pool; (4) do not offer food and beverage with alcohol; (5) Have Mosque; and (6) Ramadhan facility. For that reason, sharia hotel is important to be had for a country which try to accommodate the needs of Muslim Travelers in Indonesia

## **METHODOLOGY**

### **Type of Research Method**

The research method used was qualitative research that conducted by reviewing and studying some literature. This research was using a descriptive qualitative method in form of descriptive design. Kirk and Miller (1985) stated that qualitative research as a tradition in social science that fundamentally consist observation of human in his/her area and connect with people in those area. Generally, qualitative method has a purpose that is to understand the world that symbolized by human behaviour in the perspective of the society itself. On the other hand, method that being used in this research was descriptive qualitative that observe the existing problems and working system. This research had a purpose to describe existing occurrence that consisted the efforts to describe, record, analyze, and interpret the prevailing circumstances. In other word, This research had purpose for getting information about that circumstances.

### **Type and Source of Data**

This research was using qualitative data that cannot be measured in numeric scale instead it was being stated in form of word, sentence or picture. The source of the data that being analyzed was secondary data which the primary data that being processed further and it was obtained from primary data collector or other sources.

### **Data Collection Technique**

To get the necessary data for this research, the techniques of data collection that being used is Library Research which being conducted by reading some book that related to the problem sourced from research, journal and internet to find article or data that will help completing this research.

## **RESULT**

### **Potency of Accommodation Business in Bali for Increase Public Investment**

The attempts for elevating public investment can be created by offering investment in strategic places. That can provide a distinctive guarantee for investor. As known, Bali is prima donna of Indonesia tourism. Hence the investment in sector of accommodation such as hospitality in Bali is surely very enticing for investors. The number of foreign travelers' visiting to Bali is the largest in Indonesia comparing to other provinces. That fact can be seen from the data of the Top 5 provinces in Indonesia with foreign guests at the five star hotels published by Indonesia Statistics (BPS). The total foreign guests of five star hotel in Bali reached out 5,337,800 guests in 2015 compare to the second one province Jakarta which up only 1,873,800 guests in the same year.

So as the total number of foreign guest that was highest in Indonesia, Bali can be the guarantee for the domestic or overseas investors to invest in accommodation sectors in that beautiful island. Furthermore, the doubtful society towards investment can start to invest in Bali since the positive warranty from the total visitors to Bali.

### **Sukuk-linked Waqf for Sharia Hotel Project in Bali**

The number of Muslim travelers visiting in various tourism destination in the world recently being increasing time after time. Absolutely, it can become a chance for many countries to attract Muslim travelers to visit their tourism destination. However, Muslim travelers have their own concern about deciding the destination. The study by DinarStandard and Cresscent Rating in 2012 about Global Muslim Lifestyle Travel Market revealed what factors that affected the Muslim travelers refer to decide the destination. The survey that was conducted shown the factors in this following Table 5:

**TABLE 5: THE IMPORTANT FACTORS FOR MUSLIM TRAVELERS TO VISIT TOURISM DESTINATION**

No	Factors	Percentage of choice
1	Halal Food	66,8%
2	Overall Price	52,9%
3	Muslim-friendly experience	49,1%
4	Relaxation	45,5%
5	Hotel/resorts stay experience	37,2%
6	Choice of Destination	36,1%
7	Adventure	34,5%
8	Dinning/food experience	31,3%
9	Air and Hotel Deal	27,6%
10	Air travel experience	20,9%
11	Other factors	12,1%

Source : Dinar Standard & Cresscent Rating

Based on the data above, the authors want to emphasize Hotel as an important factor of tourism industry. Besides the function of accommodation services where travelers are certainly looking for lodging, the top four factors in Table 5 there are halal food, prices, Muslim-friendly experience, and relaxation can be provided by hotel. As a service provider of hospitality, Hotel is absolutely related to food, efficient prices, special experience, and relaxation that can be enjoyed by their guests.

There is a lot of Muslim travelers both from domestic or overseas that complain about the hardships of finding halal food and prayer room while enjoying their holiday in Bali. That is Inevitable, regarding that majority of Bali's population is not Muslim. However, it does not shut the opportunity to make Bali as a Muslim-friendly circumstance by providing such as Sharia Hotel that can meet the basic needs of Muslim travelers. By the presence of Sharia Hotel, the great opportunities that will disclose to Bali's fascination for Muslim travelers from all over the world.

The establishment of Sharia Hotel itself requires adequate funds and lands. Both of these resources can be fulfilled by the instruments which recently being developed by the central bank of Indonesia, Bank Indonesia (BI), namely Sukuk-linked Waqf. Sukuk can be a source of funding for the establishment of Sharia Hotel as well as an investment instrument for the society. Furthermore, the use of Land Waqf for productive activities such as Sharia Hotels will spread its advantage that can be felt by many people.

Although the majority of the population in Bali is not a Muslim, nevertheless the amount of land waqf in this province that known as Pulau Dewata (The Island of Gods) is quite a lot. Land waqf in Bali add up to 1,386 locations spread over nine regencies / cities with a total land area of 202.81 ha. The following is the distribution of Waqf land in the districts / cities in Bali Province:

**TABLE 6: DISTRIBUTION OF LAND WAQF IN BALI**

No	Regencies/Cities of Bali	Amount of Land Waqf
1	Buleleng Regency	401 locations
2	Jembrana Regency	445 locations
3	Klungkung Regency	100 locations
4	Gianyar Regency	29 locations
5	Karangasem Regency	125 locations
6	Bangli Regency	7 locations
7	Badung Regency	59 locations
8	Tabanan Regency	61 locations
9	Denpasar Regency	156 locations

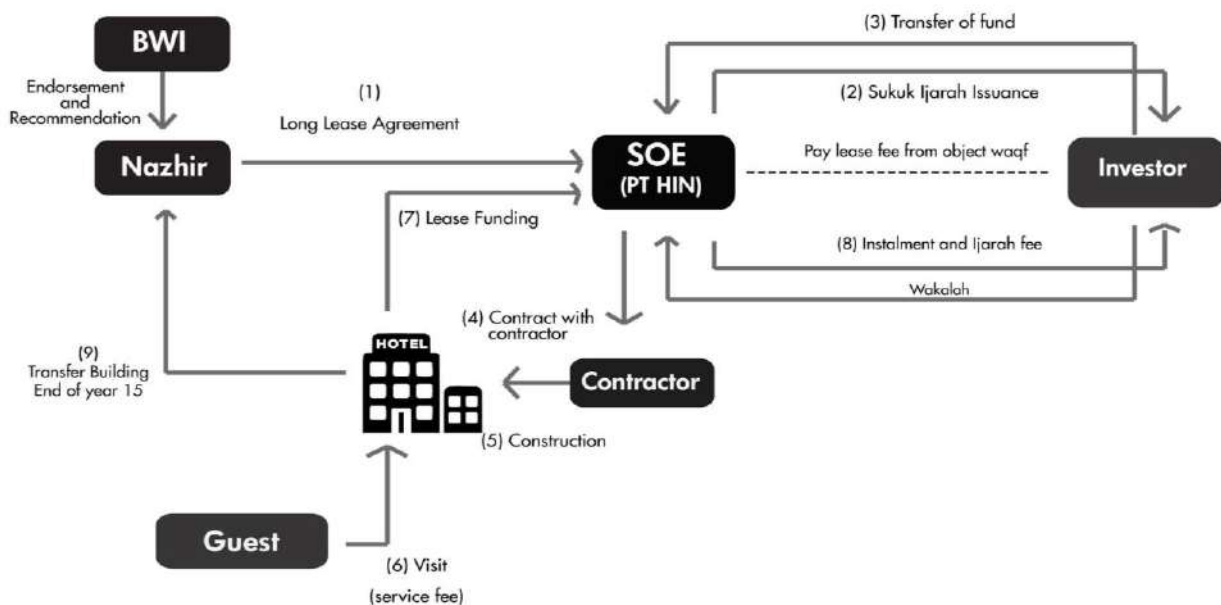
Source: Waqf Information Systems of Indonesia Ministry of Religious Affair

Based on the data from Table 6 it can be seen that the location of land waqf is spread across the regencies/cities in Bali. It is quite important considering the location of tourism in Bali located in various regencies/cities in the province. There is evenly distributions of tourism location across Bali, for instance Tanah Lot Temple in Tabanan

Regency, Kuta Beach and Uluwatu Beach in Badung Regency, Sanur Beach in Denpasar City, and Taman Safari Indonesia 3 in Gianyar Regency. The distribution of Land Waqf in various regencies / cities in Bali can be productive by build Sharia Hotels. It is usual for a waqf asset to be utilized productively in a strategic area or in a productive area, based on asset valuation for underlying assets in sukuk, has huge and attractive chance to be a project of government sukuk (Rifki Ismal, 2015).

#### **Sukuk-Linked Waqf Scheme and Implementation through Building Sharia Hotel in Bali**

For utilizing the potential waqf and tourism in Bali, obvious implementation processes are needed to commit the project. Therefore, sukuk-linked Waqf scheme for constructing sharia hotel is developed by Bank Indonesia.



**FIGURE 2: SUKUK-LINKED WAQF SCHEME**

Source: Bank Indonesia, processed by Authors

Descriptions of Sukuk-Linked Waqf scheme for build Sharia Hotel in Bali:

- 1) Indonesia Waqf Board (BWI) as a party that have a mandate to manage asset waqf will take a role as Nadzhir that do a long lease agreement (example year 35) from SOE, that represented by PT. Hotel Indonesia Natour. Ministry of finance also give a technical support that related to sukuk issuance procedure.
- 2) PT Hotel Indonesia Natour issued sukuk Ijarah
- 3) There is flow of funds from investor to sukuk issuance, PT Hotel Indonesia natour. Transfer of benefit occur for long term rental sharia hotel as object of Waqf.
- 4) PT Indonesia Natour become a representative from investor to make a contract to contractor to build sharia hotel.
- 5) Contractor start the construction of sharia Hotel
- 6) Guests of sharia hotel will pay rental fee of hotel services and accomodation
- 7) Revenue from the operating activities is holding by PT Hotel Indonesia Natour
- 8) PT Indonesia Natour will pay the installment and ijarah fee to investor
- 9) Transfer building to Nazhir (BWI) will occur at the end of year 35

### The Impact of Project Realization

After become noticed about so many potential aspects that supports this project to be executed and after explaining in detail what the proper action to implement this project, of

course there are some expected positive impacts if this project can be performing well. The impacts as follows:

### **Utilization of Land Waqf by Sukuk-linked Waqf Instrument**

By running a project that being supported by waqf asset, there is a hope that the utilization of this asset can be more on productive side and not being limited only to construct mosque, road, and other similar things. Therefore, the Land Waqf is expected to contribute more on government income which it is collected from the hotel's operating activities. Not only for the government, but also this project could be a win-win solution for Indonesia Waqf Board (BWI) since after agreement, when the contract with the government already expired, BWI will have the right to own this hotel and have the right to fully manage it and also get some benefit from it which means the revenue can be used for the Muslim society interests. Furthermore, BWI which initially only own the land, after the implementation, will get the hotel building at the end of this contract after several term which means will add an value added to the Land Waqf. In this scheme, BWI will get benefit from BOT (*Build, Operate, Transfer*) that is performed in partnership with Indonesian Government.

### **Enhancement of Interests to Invest in Indonesia Islamic Capital Market**

With implementation of sharia hotel in Bali, it will bring more interest from the investor in so many aspect. The first one, the aspect that can be a magnet for the investor is the project itself. Muslim can be categorized as the one of the biggest market segment in the world by their total spending on travel and tourism, it is bigger comparing to American would spend. Hence, in term of market size, this project has a big market segment with a great purchasing power that big enough to make this project succeed and sustain in the long term. Second, The location of the project itself, which is Bali. Bali could be appealing to investor since it became one of the best tourism destination in World. By relying on Bali popularity, this project will gain investor interests to contribute on implementation of this project since this project has a good prospect supported by its location. The last one, this project has a good purpose that the project tries to promote sharia investment, make Land Waqf more productive, and to promote Indonesia as tourism destination that more friendly to Muslim Travelers.

### **Supporting Development in Indonesia**

If this project succeed, the infrastructure for supporting Indonesia tourism will become better. More than that, there will be a likelihood for a similar project to be implemented in other areas which could stimulate a massive Indonesia development in the future. Therefore, as the first project ever in Indonesia which implemented this scheme, the multiplier effect is expected will exist as the time goes by.

### **CONCLUSION**

Bali as favorite tourism destination has a high level of attractiveness which can stimulate the escalation of interests in capital market investment. There are three potencies that can be explored from the prior mentioned which are attractiveness of tourism, the amount of Land Waqf in Bali and the amount of money that being spent by Muslim travelers in global scale. Therefore, Indonesia Government can take this opportunity to utilize Waqf assets in the

existence of land to build Sharia Hotel in Bali which being financed by Sukuk-linked Waqf. In the implementation of the projects, contribution from many parties (include BWI, Indonesian Government which is represented by State-Owned Enterprises, Ministry of Finance, Ministry of Religious Affair, and Investor) as well as a clear and mature implementation scheme which is needed to make the project will be running as expected. By realizing this project, there are some expected positive impacts such as utilization in assets of Waqf in presence of Sukuk-linked Waqf instrument, escalation of Indonesian Interests to make investment in Indonesia Islamic Capital Market, and the last is to support the development of many productive sectors in Indonesia.

## ACKNOWLEDGMENT

This paper cannot be completed without support from Islamic Economic and Business Program FEB UI. Although, any opinion, findings, and conclusion expressed in this paper are those of the Authors and do not necessarily reflect of those Islamic Economic and Business Program FEB UI.

## REFERENCES

- DEKS Bank Indonesia. (2016). *Wakaf; Pengaturan dan Tata Kelola yang Efektif*. Jakarta: DEKS Bank Indonesia.
- FATWA DEWAN SYARI'AH NASIONAL Nomor 32 Tahun 2002, *Obligasi Syariah*, 2002, Jakarta.
- Haq, A. Faishal. 2013. *Hukum Perwakafan di Indonesia*. Sidoarjo: CV. Dwiputra Pustaka Jaya.
- [https://static.hosteltur.com/web/uploads/2013/10/turismo\\_islyAmico\\_informe\\_2012\\_2.pdf](https://static.hosteltur.com/web/uploads/2013/10/turismo_islyAmico_informe_2012_2.pdf)
- Humas Badan Wakaf Indonesia. (n.d.). *Unsur-unsur Wakaf*. Retrieved from Badan Wakaf Indonesia: <http://www.bwi.or.id/index.php/in/tentang-wakaf/mengenal-wakaf/syarat-a-rukun-wakaf.html>
- Investor Pasar Modal Indonesia Baru 0,39%, Kalah dari Malaysia dan Singapura*. (2017, Maret 19). Retrieved Agustus 30, 2017, from Okezone Finance: <http://economy.okezone.com/read/2017/03/19/320/1646485/investor-pasar-modal-indonesia-baru-0-39-kalah-dari-malaysia-dan-singapura>
- Kementerian Agama RI. (n.d.). *Grafik Jumlah dan Luas Tanah Wakaf*. Kerangka Teori Wakaf. [http://abstrak.ta.uns.ac.id/wisuda/upload/E0010114\\_bab2.pdf](http://abstrak.ta.uns.ac.id/wisuda/upload/E0010114_bab2.pdf). Di akses pada tanggal 30 Agustus 2017
- Lupika, A. (2015, November 19). *Dompot Dhuafa*. Retrieved from Sejarah Wakaf Awal Perwakafan Islam: <http://tabungwakaf.com/sejarah-wakaf-awal-perwakafan-islam/>
- MasterCard & CrescentRating. (2016). *Global Muslim Travel Index 2016*.
- Nugroho, H. (2013, Juni). *Perkembangan Sukuk di Dunia*. Depok, Jawa Barat, Indonesia. Retrieved from <http://lib.ui.ac.id/file?file=digital/20369039-MK-Handityo>
- Thomson Reuters. (2017). *State of The Global Islamic Economic Report 2016-2017*. Thomson Reuters.



TripAdvisor. (n.d.). *Top 25 Destinations - World*. Retrieved August 30, 2017, from  
TripAdvisor:  
<https://www.tripadvisor.com/TravelersChoice-Destinations-cTop-g1>  
UU Nomor 41 tahun 2004, *Wakaf*, October 2004, Jakarta.  
UU Nomor 19 tahun 2008, *Surat Berharga Syariah Negara*, May 2008, Jakarta.

# Do Intellectual Capital And Islamic Work Ethics Matter For Halal Sme Business Performance?

**Sakinah Mat Zin**

<sup>1</sup>Faculty of Business and Management, Universiti Teknologi MARA, Cawangan Kelantan, Malaysia.

<sup>2</sup>Research Institute for Islamic Products and Malay Civilization (INSPIRE), Universiti Sultan Zainal Abidin, Terengganu, Malaysia.

## Abstract

In the present knowledge-based economy, the creation and management of intangible assets, such as intellectual capital and Islamic ethics are crucial to cope with halal firm competitiveness and performance issues. What components of intellectual capital that should be accentuated to achieve a competitive edge and profitability?. Do Islamic work ethics determine the subsequent performance of halal small and medium enterprises (SMEs)?. Five components of intellectual capital (human capital, organizational capital, relational capital, spiritual capital and technological capital) and Islamic work ethics were identified to model their impact on halal SME business performance in Malaysia. In doing so, survey questions from previous studies were adopted and customized to collect data. The sample of 445 halal SME entrepreneurs was utilized and the data were analyzed using SmartPLS 3.2.6. The results of the study revealed that human capital, organizational capital, technological capital and Islamic work ethics significantly influenced halal SME business performance. Then, this study explored the use of the Importance-Performance matrix analysis to identify priority factors that can be enhanced to increase the business performance.

**Keywords:** halal, SME, intellectual capital, Islamic work ethics, Importance-Performance Matrix Analysis (IPMA)

## INTRODUCTION

The knowledge embedded in people and organizations are known as intellectual capital (Ramezan, 2011; Cortini & Benevene, 2010; Bontis, 2004; Stewart, 1997). Intellectual capital, the catchword in the economic world, is crucial for sustainability (Chen, Cheng & Hwang, 2005; Bismuth & Tojo, 2008) and considered as the most important resources for competitive organizations in the knowledge-based economy (Khalique, Hassan, Jamal & Ageel, 2011). Al-Ghazali's economic theory and Ibn Khaldun's theory of development have in fact acknowledged that for a company's competitiveness, there is a need for *Shariah*-mandated concept of economic development incorporating all human activities; including the strategic management of intellectual capital. Accordingly, instilling Islamic work ethics to halal small and medium enterprise (SME) entrepreneurs is crucial as to assist them gain competitive advantages in an open economic onslaught. A holistic system in Islamic economic business guidelines contains every part of life (Juma'h, Campus & Abu-Mounes, 2011). Intrinsically, in finding Islamic institutions (for business loan application) for instance, SME entrepreneurs

should base it on the encouragement of faith to submit to Allah SWT, not merely following the recent trend to go for something Islamic (Ahmad Azrin, 2012). Coupled with Islamic work ethics, intellectual capital investment allows firms to gain competitive advantage over their competitors, as it is difficult to imitate.

Intellectual capital is a strategic successful feature for all types of organizations (Lonnqvist & Mettanen, 2002), including halal SMEs. However, compared to large firms, SME labour productivity is quite insignificant. As specified in SME Annual Report 2013/2014, labour productivity of Malaysian SMEs was 2.73 times smaller than that of large firm in year 2013 (SME Corp. Malaysia, (2013). SME's survival rate was about 58%, in which approximately 42% of the business establishments in year 2000 stopped operations by year 2005 (SME Masterplan, 2012-2020). These issues must be fixed to avoid SME entrepreneurs from being bankrupt (Omar & Azmi, 2015). Such problems arise because:

- i. Halal SME entrepreneurs are oblivious of the role of intellectual capital as a key to enhance business performance.
- ii. Halal SME entrepreneurs do not understand the impact of Islamic work ethics on business performance.

Therefore, a research study needs to be conducted in an attempt to know to the associations between intellectual capital, Islamic work ethics and business performance among halal SME entrepreneurs in Malaysia. In order to postulate intellectual capital and Islamic work ethics within the comprehensive area of entrepreneurship studies, the first section begins by presenting the literature review and hypothesis formulation. In the second section the paper endeavors to elucidate the methodology and results. Further to that, the author conducts an Importance-Performance matrix analysis to determine priority variables to focus on the implications to entrepreneurs. Finally, discussion, implications and limitations are discussed.

## **INTELLECTUAL CAPITAL, ISLAMIC WORK ETHICS AND BUSINESS PERFORMANCE**

Basically, Intellectual capital contains three sub-domains: human capital, organizational (or structural) capital, and relational (or customer) capital (Stewart, 1997; Bontis, 1998; Ramirez, Lorduy & Rojas, 2007; Cortini & Benevene, 2010). Notwithstanding there is no concrete agreement on what intellectual capital is, broad consensus on its definition still exists. Further, intellectual capital concept has been widened into two more new significant components: spiritual capital and technological capital (Ismail & Songip, 2006; Wu & Tsai, 2005) that have positive influences on organizational performance. Khalique, Isa & Shaari (2013), Khan & Khalique (2014), Hashim, Osman & Alhabshi (2015) and Ullah, Aziz & Yousaf (2016) incorporated intellectual capital elements into human capital, customer capital, structural capital, social capital, technological capital and spiritual capital. Despite its multidimensionality, this study has defined intellectual capital as including; (i) Human Capital, (ii) Organizational Capital, (iii) Relational Capital, (iv) Spiritual Capital and (v) Technological Capital.

Numerous scholars recognise the decisive role of human capital in increasing firm's business performance (Cabello-Medina, López-Cabrales, & Valle-Cabrera, 2011; Jardon & Susana Martos, 2012; Mention & Bontis, 2013). Sharabati, Naji Jawad & Bontis (2010) discovered that human capital is positively and significantly related to business performance of the pharmaceutical sector of Jordan. Similarly, Ahmadi, Ahmadi, & Shakeri's (2011) statistical

result corroborated a positive relationship between human capital and organizational performance. Furthermore, many researchers support the direct influence of organizational capital on firm performance and enterprise value (Wang & Yuan, 2017; Aminu, Mahmood & Muharram, 2015; Sydler, Haefliger & Pruksa, 2014; Abdullah & Sofian, 2012; Ahmad & Mushraf, 2011). Tronconi & Marzetti's (2011) findings also disclose a positive significant relationship between organizational capital and firm performance. Likewise, the empirical results of Hashim, Osman & Alhabshi (2017) show that organizational capital is positively connected with the performance of the banking and non-banking sectors in Malaysia. Besides that, firms need to create and maintain relational capital in order to be successful (Joshi, Cahill, Sidhu & Kansal, 2013). In essence, relational capital allows entrepreneurs to enhance their knowledge of opportunities, obtain access to critical resources and deal with business difficulties (Hills, Lumpkin & Singh, 1997; Floyd & Wooldridge, 1999), therefore business profitability is achieved. Spiritual capital is also an important drive to SME business performance, in a way that it raises affirmative greater influence on corporate performance (Khalique, Shaari, Abdul & Isa, 2011; Khalique, Isa & Shaari, 2013). Ariawan, Made Sudarma, Djumahir, & Ghazali (2016) also found that spiritual capital and SME business performance have a strong relationship. Moreover, the application of technological capacities is positively correlated with business performance and can give organizations competitive advantage (Kamukama, Ahiauzu & Ntayi, 2011; Kilkenny, Nalbarte & Besser, 1999). A study conducted on fabless firms in Taiwan, found that IT and innovation have positive impact on the organizational performance (Lu, Wang, Tung & Lin, 2010). Based on the literature review, the following propositions are made:

- H1. Human capital has a positive relationship with halal SME business performance.
- H2. Organizational capital has a positive relationship with halal SME business performance.
- H3. Relational capital has a positive relationship with halal SME business performance.
- H4. Spiritual capital has a positive relationship with halal SME business performance.
- H5. Technological capital has a positive relationship with halal SME business performance.

From the Islamic work ethics perspective, the involvement in entrepreneurship is an obligation (Yousef, 2001). Muslim's desire for profit seeking in entrepreneurship and high business performance is well recognised by Islam (Mohsen, 2007). Halal entrepreneurs can be good Muslims and at the same time rich people. Islamic work ethics denotes business activities undertaken by entrepreneurs, for the purpose of generating profits, in a determined atmosphere; later will result in higher performance and great success (Ali & Owaihan, 2008). Islamic work ethics influences organizational performance in a positive way (Kumar & Che Rose, 2010). Therefore, to get clearer picture of the relationship between Islamic work ethics and halal business performance, the following hypothesis has been developed:

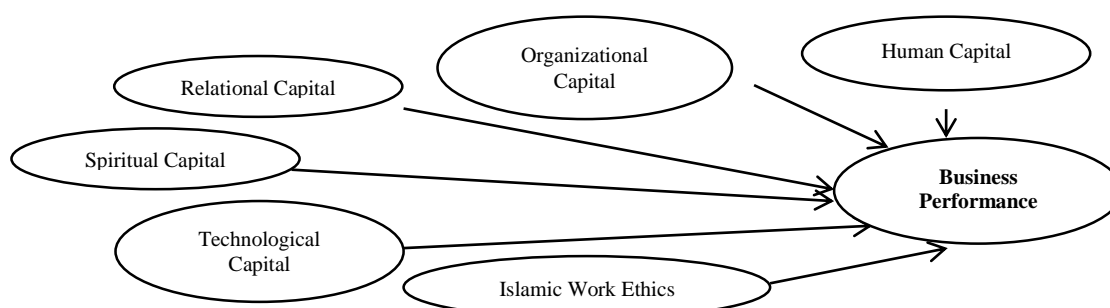
- H6. Islamic work ethics have a positive relationship with halal SME business performance.

## **THE RELATIONSHIPS BETWEEN INTELLECTUAL CAPITAL, ISLAMIC WORK ETHICS AND BUSINESS PERFORMANCE**

Figure 1 represents the proposed conceptual framework intellectual capital theories (Alcaniz, Gomez-Bezares & Roslender, 2011) and Islamic work ethics (Abbasi, Mir & Hussain, 2012; Ali & Owaihan, 2008) and links them to business performance (Brush, Edelman & Manolova, 2015; Greene, Brush & Brown, 2015). Human capital, organizational capital, relational capital

, spiritual capital, technological capital and Islamic work ethics are the exogenous variables which influence halal SME business performance (i.e. endogenous variable).

**FIGURE 1: CONCEPTUALIZATION OF THE RELATIONSHIPS BETWEEN INTELLECTUAL CAPITAL, ISLAMIC WORK ETHICS AND BUSINESS PERFORMANCE**



## METHODOLOGY

For human capital, organizational capital and relational capital, questionnaires earlier developed and tested by Bontis (1998) were adapted. Spiritual capital and technological capital were measured using Khalique & Md Isa (2014). Items for Islamic work ethics were from Ali (1988). Business performance was measured using the works of Rosman (2010). As suggested by Taylor & Todd (1995), all constructs were measured using the same scale which is a 7-point Likert-type scale with anchors on 1=*strongly disagree* and 7=*strongly agree*. The questionnaire was validated through expert interviews and a panel of practitioners. The reliability of the instrument was further tested to find out whether it consistently measured the study variables on the scales used (Nunnally, 1978). Cronbach alpha coefficients results of intellectual capital components and Islamic work ethics together with business performance exhibited that all measures have excellent reliability coefficients ranging from 0.864 to 0.876 which were above 0.75 respectively signify that the scales used were reliable. The respondents are halal SME entrepreneurs whose addresses and telephone numbers were taken from the office of Malay Chamber of Commerce Malaysia Kelantan (DPMMK). Out of 1,635 questionnaires, 1,000 were mailed and 635 were distributed by enumerators using 'drop-off and collect' technique. Within 5 months, researcher succeeded to collect 469 questionnaires, making a response rate of 28.7 per cent. This response rate is considered as sufficient since many surveys held in Malaysia yield a response rate between 10 to 20 per cent (Ramayah, Yan & Sulaiman, 2005). After going through preliminary evaluations, the data reduced to 445 responses for further analysis.

To analyze the research model, the Partial Least Squares–Structural Equation Modeling (PLS-SEM) analysis using SmartPLS 3.2.6 (Ringle, Wende & Becker, 2015). PLS-SEM model contains two inter-related models; a measurement model and structural model, which are assessed separately in a two-phase process (Hair, Ringle & Sarstedt, 2011). To test the significance of the path coefficients and the loadings a bootstrapping method (1000 resamples) was

employed (Gholami, Sulaiman, Ramayah & Molla, 2013). In the last step, the analysis of importance-performance matrix of path modeling was performed. By assessing IPMA, the impact of exogenous latent variables (human capital, organizational capital, relational capital, spiritual capital, technological capital and Islamic work ethics) with a relatively high importance and relatively low performance on an endogenous latent variable (i.e. business performance) would be identified (Hock, Ringle, & Sarstedt, 2010). Consequently, IPMA results deliver managerial acumens to address and improve the recognized areas with high importance and low performance (Hock, Ringle, & Sarstedt, 2010; Schloderer, Sarstedt, & Ringle, 2014).

## RESULTS

### MEASUREMENT MODEL

Convergent validity is the extent to which several items assessing the same concept are in agreement (Ramayah & Rahbar, 2013). The convergence validity of the measurement is usually determined by observing the loadings, average variance extracted and composite reliability (Gholami et al., 2013). For this study, the AVE value was higher than 0.50 or indicating an adequate degree of convergent validity, meaning to say that the construct explains more than half (50 percent) of its indicators' variance (Hair, Ringle & Sarstedt, 2011). Furthermore, all constructs exhibited composite reliability between 0.859 and 0.949 which is well above the threshold value of 0.7 (Hair, Ringle & Sarstedt, 2011). Then, researcher utilises Heterotrait-Monotrait Ratio (HTMT) technique developed by Henseler, Ringle & Sarstedt (2015) to determine the discriminant validity of measurement. The result of HTMT inference also shows that the confidence interval does not demonstrate a value of 1 on any of the constructs (Henseler, Ringle & Sarstedt, 2015), which also confirms discriminant validity.

### STRUCTURAL MODEL

Structural model shows the causal relationships among constructs in the model (path coefficients and the  $R^2$  value). Together, the  $R^2$  and the path coefficients (beta and significance) indicate how well the data support and hypothesized model (Ramayah, Lee & Boey, 2011; Sang, Lee & Lee, 2010). Table 1 and Figure 2 show the results of the structural model from the PLS output. Human capital ( $\beta = 0.18$ ,  $p < 0.01$ ), organizational capital ( $\beta = 0.183$ ,  $p > 0.01$ ), technological capital ( $\beta = 0.326$ ,  $p < 0.01$ ) and Islamic work ethics ( $\beta = 0.21$ ,  $p < 0.01$ ) were positively related to business performance. In addition, 0 does not straddle in between the confidence intervals, implying that the results are significant. The  $R^2$  for business performance was 0.522 indicating that human capital, organizational capital, technological capital and Islamic work ethics explained 52.2% of the variance in business performance. The results supported H1, H2, H5 and H6. Whereas relational capital ( $\beta = -0.005$ ,  $p < 0.05$ ) and spiritual capital ( $\beta = 0$ ,  $p < 0.05$ ) were not a significant predictors of business performance. Thus, H3 and H4 are not supported.

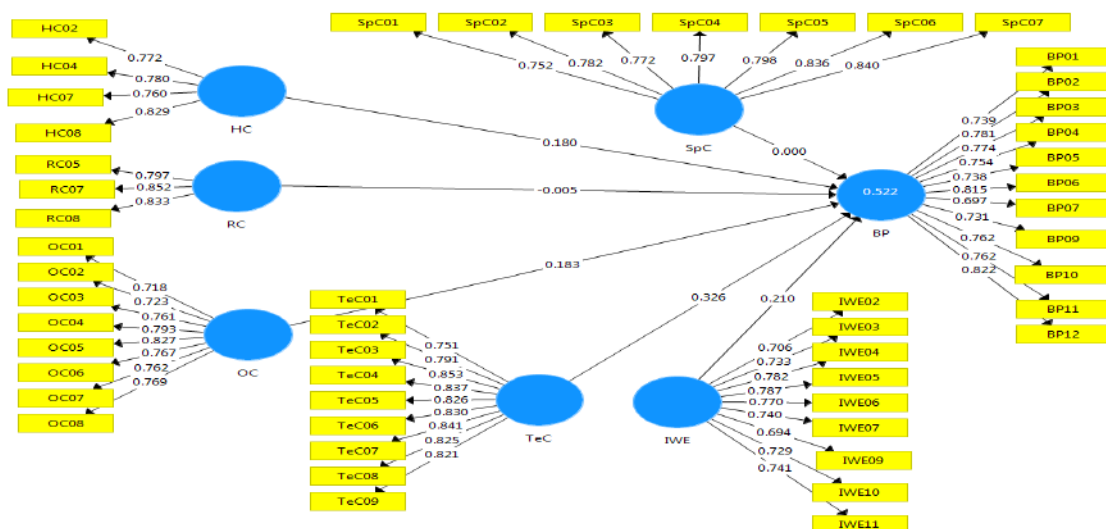
**TABLE 1: PATH COEFFICIENTS AND CONFIDENCE INTERVAL**

Exogenous constructs	Endogenous	Path ( $\beta$ )	Std. Error	t-values	Confidence Interval	Decision
----------------------	------------	------------------	------------	----------	---------------------	----------

construct					Lower Level (LL)	Upper Level (UL)	
Human Capital	-> Business Performance	0.18	0.053	3.392**	0.087	0.303	Supported
Organizational Capital	-> Business Performance	0.183	0.065	2.828**	0.065	0.316	Supported
Relational Capital	-> Business Performance	-0.005	0.053	0.102	-0.106	0.097	Not Supported
Spiritual Capital	-> Business Performance	0	0.055	0.001	-0.115	0.104	Not Supported
Technological Capital	-> Business Performance	0.326	0.05	6.532**	0.229	0.423	Supported
Islamic Work Ethics	-> Business Performance	0.21	0.048	4.344**	0.106	0.304	Supported

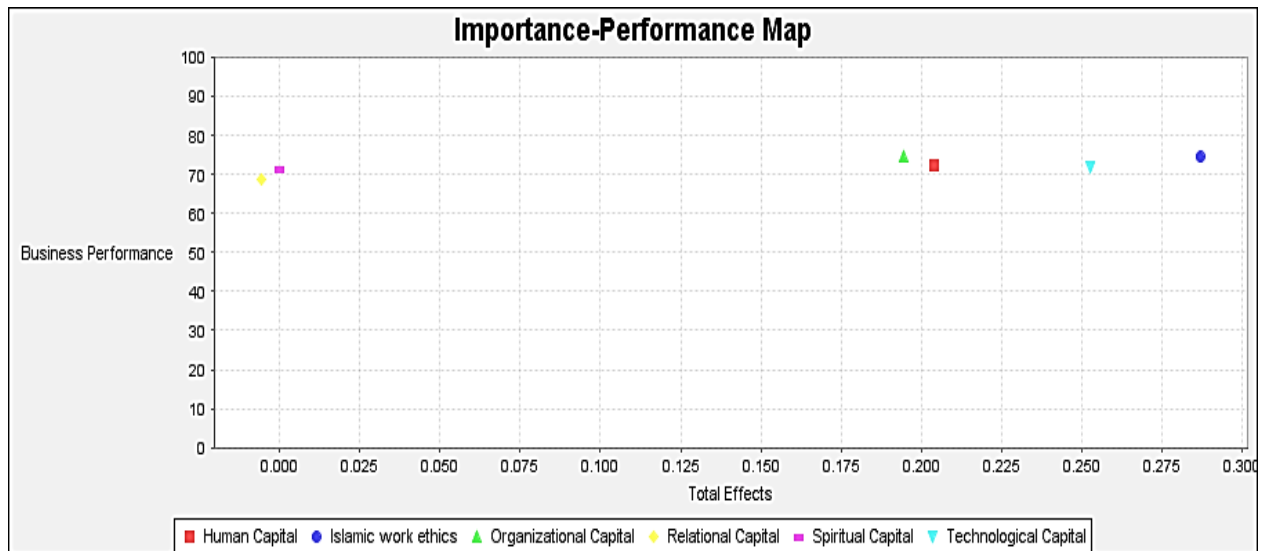
Note:\*\*  $p < 0.01$ , \*  $p < 0.05$ .

Figure 2: Structural model from the PLS output



### IMPORTANCE-PERFORMANCE MATRIX ANALYSIS (IPMA)

Figure 3 and Table 2 show the IPMA of halal SME business performance. Relational capital (-0.006) and spiritual capital (0) seem to be not important at all. The construct of organizational capital has high performance (74.572) but it is not an important variable (0.194) in the prediction of business performance. Hence, entrepreneurs should not focus much on this capital. The three constructs which are more important than organizational capital are human capital (0.204), Islamic work ethics (0.287) and technological capital (0.253). Nevertheless, Islamic work ethics reveals the most important (0.287) and possess the highest performance (74.573) among the three constructs. Halal SME entrepreneurs should therefore integrate Islamic work ethics into human resource system of their organization.



**FIGURE 3: THE IMPORTANCE-PERFORMANCE MAP**

**TABLE 2: IMPORTANCE AND PERFORMANCE MATRIX (IPMA) RESULT**

Construct	Importance (Total Effect)	Performance (Index Values)
Human Capital	0.204	72.28
Islamic work ethics	0.287	74.573
Organizational Capital	0.194	74.572
Relational Capital	-0.006	68.832
Spiritual Capital	0	71.193
Technological Capital	0.253	71.76

## DISCUSSION

This study found that human capital, organizational capital, technological capital and Islamic work ethics influenced business performance significantly. The finding is supported by Andreeva (2017), Khalique & Pablos (2015) and Ali & Owaihan (2008). However, the IPMA analysis highlighted three important variables; namely Islamic work ethics, human capital and technological capital. Islamic work ethics reveals the most important and possess the highest performance among the three constructs. Halal SME entrepreneurs should therefore integrate Islamic work ethics into human resource system of their organization. On the contrary, relational capital and spiritual capital are not significantly influencing business performance. Similar to the results of Andreeva (2017) and Khalique & bin Md Isa (2014), the finding of this study implies that relational capital and spiritual capital are not important predictors of the company's successful performance. Relational capital incorporates the character and qualities of the relationship or network between individuals, which is frequently categorised through trust and commitment (Muniady et. al., 2015). A likely explanation for this is that halal SME entrepreneurs failed to gain trust and commitment from



shareholders, customers, suppliers and community. Furthermore, the study exhibits insignificant result on the relationship between spiritual capital and business performance because researcher tends to view spiritual capital of halal SME entrepreneurs as deeply personal religious belief based on their knowledge, faith and emotion, and thus may not entrust responsibility to the corporate world.

In sum, the findings of this study provide a mechanism to understand halal SME business performance and offer the entrepreneurs a mirror to their Islamic shaped intent. Relatedly, Al-Ghazali's economic theory and Ibn Khaldun's theory of development have come to acknowledge the need for *Shariah*-mandated concept of economic development incorporating all human activities and investments of intangible assets. Ibn Khaldun's theory of development emphasises on the importance of the intellect (human capital), intellectual property protection (organizational capital), sense of solidarity and group feeling (relational capital), the role of human nature and religion (spiritual capital), technological and intellectual enhancements (technological capital) and primacy of morality (Islamic work ethics). The amalgamation of those elements is the basis of sustainable competitive advantages and profitable halal business performance. Yet, halal SME entrepreneurs proved to be lacking of relational capital and spiritual capital. To cater this problem, the concept of *asabiyyah* by Ibn Khaldun must be imitated. The word *asabiyyah* is used for what is currently referred to as social or relational capital (Dasgupta, 2000). *Asabiyyah* helps create the mutual trust and commitment which are necessary for the accelerated development of any economy or business. In addition, both Al-Ghazali's economic theory and Ibn Khaldun's theory of development delve into an essential part of *Shariah* reflecting the righteous ethical path, especially Islamic work ethics that need to be adopted by entrepreneurs. They must create wealth for a sustainable prosperous economy which is morally justifiable. Certainly, a stronger relationship with Allah SWT will result in better treatment towards others and greater source of confidence in implementing new ideas that can upsurge the relational capital and spiritual capital. Besides that, Ibn Khaldun emphasized on the importance of ethics when he identified the ethical problems that can ruin a society include moral decay and other character degradations. Possessing Islamic work ethics among halal SME entrepreneurs is vital to avoid this kind of problems to occur. Thus, this study indicates that by creating awareness of *Shariah* principles in the investments of intangible assets (intellectual capital and Islamic work ethics), halal SME entrepreneurs will gain competitive advantage and raise the performance of business.

## IMPLICATIONS AND LIMITATIONS

For the theoretical implications, not many researchers have previously explored intellectual capital and Islamic work ethics of halal SMEs. So, this study had to collect Islamic theories along with the literature on intellectual capital and Islamic work ethics. In other words, this study emphasized on the components of intellectual capital and details of Islamic work ethics and expounded their contents, which resulted in further improvements. Therefore, it would inspire prevailing consideration of taking a broad view intellectual capital and Islamic work ethics into other types of SMEs. Looking at the practical implications, insights obtained from this research will help halal SMEs to achieve value creation by investing in intellectual capital and Islamic work ethics. The detailed components of intellectual capital, Islamic work ethics and business performance measurement provide practical references for halal SME

entrepreneurs to manage intellectual capital and Islamic work ethics efficiently and effectively towards achieving organizational competitive edge. Moreover, policy makers will be able to comprehend the issues of intellectual capital and Islamic work ethics better and offer support for halal SMEs in their effort to stimulate those internal resources.

The results of this study should be considered in light of the two limitations. First, the sample size of 445 covered respondents from one region in Malaysia (Kelantan) while the other 12 regions were not included due to geographical distance. Second, since the study was conducted in snapshot, additional research efforts are needed to evaluate the validity of the investigated models and our findings across time.

## REFERENCES

- Abbasi, A. S., Mir, G. M., & Hussain, M. (2012). Islamic work ethics: how it affects organizational learning, innovation and performance. *Actual Problems Of Economics*, 12(138), 471-480.
- Abdullah, D. F. & Sofian, S. (2012). The Relationship between Intellectual Capital and Corporate Performance. *Procedia-Social and Behavioral Sciences*, 40(6), 537-541. <http://dx.doi.org/10.1016/j.sbspro.2012.03.227>
- Ahmad Azrin, A. (2012). Analisis Hubungan Antara Penentu Pemilihan Bank Menurut Muslim Ideal Dengan Gelagat Pemilihan Bank Islamik Dalam Kalangan Muslim Di Terengganu. *Jurnal Kemanusiaan*, 20.
- Ahmadi, A. A., Ahmadi, A., & Shakeri, S. (2011). The survey of relationship between Intellectual capital (IC) and Organizational performance (OP) within the National Iranian South Oil Company. *Interdisciplinary Journal of Contemporary Research in Business*, 3(5), 369-380.
- Ahmad, S., & Mushraf, A. M. (2011). The Relationship between Intellectual capital and Business Performance: An empirical study in Iraqi industry. *2011 International Conference on Management and Artificial Intelligence IPEDR*, Bali, Indonesia, 104-109.
- Alcaniz, L., Gomez-Bezares, F., & Roslender, R. (2011, June). Theoretical perspectives on intellectual capital: A backward look and a proposal for going forward. In *Accounting Forum* (Vol. 35, No. 2, pp. 104-117). Elsevier.
- Ali, A. (1988). Scaling an Islamic work ethic. *The Journal of Social Psychology*, 128(5), 575-583.
- Ali, A. J., & Al-Owaidan, A. (2008). Islamic work ethic: a critical review. *Cross cultural management: An international Journal*, 15(1), 5-19.
- Aminu, M. I., Mahmood, R., & Muharram, F. M. (2015). The Intangible Resources and Small Firms' Multilevel Performance: A Partial Least Squares Approach. *Asian Social Science*, 11(16), 187.
- Andreeva T, G. T. (2017). Intellectual Capital and Its Impact on the Financial Performance of Russian Manufacturing Companies. *Foresight and STI Governance*, 11(1), 31-40.
- Ariawan, Made Sudarma, Djumahir, & Ghazali. (2016). The Role of Spiritual Capital, Human Capital, Structural Capital, and Relational Capital of SMEs to Improving on Performance: Study Literature. *South East Asia Journal of Contemporary Business, Economics and Law*, 11(2) (Dec.), 87-94.
- Bismuth, A., & Tojo, Y. (2008). Creating value from intellectual assets. *Journal of intellectual capital*, 9(2), 228-245.
- Bontis, N. (2004), National intellectual capital index: a United Nations initiative for the Arab region, *Journal of Intellectual Capital*, 5(1), 13-39.

- Bontis, N. (1998). Intellectual capital: an exploratory study that develops measures and models. *Management decision*, 36(2), 63-76.
- Brush, C. G., Edelman, L. F., & Manolova, T. (2015). The impact of resources on small firm internationalization. *Journal of Small Business Strategy*, 13(1), 1-17.
- Cabello-Medina, C., López-Cabral, Á., & Valle-Cabrera, R. (2011). Leveraging the innovative performance of human capital through HRM and social capital in Spanish firms. *The International Journal of Human Resource Management*, 22(04), 807-828.
- Chen, M. C., Cheng, S. J., & Hwang, Y. (2005). An empirical investigation of the relationship between intellectual capital and firms' market value and financial performance. *Journal of intellectual capital*, 6(2), 159-176.
- Cortini, M. & Benevene, P. (2010), Interaction between structural and human capital in Italian NPO: leadership, organizational culture and human resource management, *Journal of Intellectual Capital*, 11(2), 123-139.
- Dasgupta, P. (2000). Economic progress and the idea of social capital. *Social capital: A multifaceted perspective*, 325-424.
- Floyd, S.W. & Wooldridge, B. (1999). Knowledge creation and social networks in corporate entrepreneurship: the renewal of organizational capability, *Entrepreneurship Theory and Practice*, 23(3), 123-143.
- Gholami, R., Sulaiman, A. B., Ramayah, T., & Molla, A. (2013). Senior managers' perception on green information systems (IS) adoption and environmental performance: Results from a field survey. *Information & Management*, 50(7), 431-438. doi:10.1016/j.im.2013.01.004
- Greene, P. G., Brush, C. G., & Brown, T. E. (2015). Resources in small firms: an exploratory study. *Journal of Small Business Strategy*, 8(2), 25-40.
- Hair, J. F., Ringle, C. M., & Sarstedt, M. (2011). PLS-SEM: Indeed a silver bullet. *Journal of Marketing theory and Practice*, 19(2), 139-152.
- Hashim, M. J., Osman, I., & Alhabshi, S. M. (2017). Intellectual Capital Contribution to Organizational Performance in Malaysian Banking and Non-Banking Sectors. *Advanced Science Letters*, 23(1), 406-409.
- Hashim, M. J., Osman, I., & Alhabshi, S. M. (2015). Effect of intellectual capital on organizational performance. *Procedia-Social and Behavioral Sciences*, 211, 207-214.
- Henseler, J., Ringle, C. M., & Sarstedt, M. (2015). A new criterion for assessing discriminant validity in variance-based structural equation modeling. *Journal of the Academy of Marketing Science*, 43(1), 115-135.
- Hills, G.E., Lumpkin, G.T. & Singh, R.P. (1997). Opportunity recognition: Perceptions and behaviours of entrepreneurs, *Frontiers of Entrepreneurship Research*, Babson College, Wellesley, MA.
- Hock, C., Ringle, C. M., & Sarstedt, M. (2010). Management of multi-purpose stadiums: Importance and performance measurement of service interfaces. *International Journal of Services Technology and Management*, 14(2-3), 188-207.
- Irijanto, T. T., Zaidi, M. A. S., Ismail, A. G., & Arshad, N. C. (2015). Al Ghazali's Thoughts of Economic Growth Theory, A Contribution with System Thinking. *Scientific Journal of PPI-UKM*, 2(5), 233-240.
- Ismail, M., & Songip, A. R. (2006, June). The Influence of Knowledge Management and Leveraging of Intellectual Capital on the Organization Performance": A Case Study of Telekom Malaysia. In *Knowledge Management International Conferences and Exhibition (KMICE) 2006* (pp. 6-8).

- Jardon, C. M., & Susana Martos, M. (2012). Intellectual capital as competitive advantage in emerging clusters in Latin America. *Journal of Intellectual Capital*, 13(4), 462-481.
- Joshi, M., Cahill, D., Sidhu, J. and Kansal, M. (2013) Intellectual Capital and Financial Performance: An Evaluation of the Australian Financial Sector. *Journal of Intellectual Capital*, 14, 264-285.
- Juma'h, A. H., Campus, M., & Abu-Mounes, R. N. (2011). An introduction to the Islamic perspectives of conducting business. *Revista Empresarial Inter Metro/Inter Metro Business Journal*, 7(1), 58-68.
- Kamri, N. (2014). The roles of ethics in waqf management: case of jawhar. *Jurnal Syariah*, 18(3).
- Kamukama, N., Ahiauzu, A. & Ntayi, J.M. (2011). Competitive Advantage: mediator of intellectual capital and performance, *Journal of Intellectual Capital*, 12(1), 152-164.
- Khalique, M., & Pablos, P. O. D. (2015). Intellectual capital and performance of electrical and electronics SMEs in Malaysia. *International Journal of Learning and Intellectual Capital*, 12(3), 251-269.
- Khalique, M., & Md Isa, A. H. (2014). Intellectual capital in SMEs operating in boutique sector in Kuching, Malaysia. *IUP Journal of Management Research*, 13(2), 17.
- Khalique, M., Isa, A. H. M., & Shaari, J. A. N. B. (2013). Predicting the impact of intellectual capital management on the performance of SMEs in electronics industry in Kuching, Sarawak. *IUP Journal of Knowledge Management*, 11(4), 53.
- Khalique, M., Shaari, J. A. N., Isa, A. H. Md., and Ageel, A. (2011). The challenges faced by the small and medium enterprises (SMEs) in Malaysia: in intellectual capital perspective. *International Journal of current research*, 3(6), 398-401.
- Khalique, M., Hassan, I., Jamal, N.S., & Ageel, A. (2011). Challenges faced by the small and medium enterprises (SMEs) in Malaysia: An intellectual capital perspective. *International Journal of Current Research*, 33(6), 398-401.
- Khan, M. W. J., & Khalique, M. (2014, August). Entrepreneurial approach and intellectual capital in Pakistani manufacturing pharmaceutical organizations. In *6th International Borneo Business Conference, Kuching, Malaysia, (IBBC)*(pp. 20-21).
- Kilkenny, M., Nalbarte, L., & Besser, T. (1999). Reciprocated community support and small town-small business success. *Entrepreneurship & Regional Development*, 11(3), 231-246.
- Kumar, N., & Che Rose, R. (2010). Examining the link between Islamic work ethic and innovation capability. *Journal of Management Development*, 29(1), 79-93.
- Lönnqvist, A., & Mettänen, P. (2002, June). Criteria of sound intellectual capital measures. In *Proceedings of the 2nd International Workshop on Performance Measurement, Hanover, June* (pp. 6-7).
- Lu, W. M., Wang, W. K., Tung, W. T., & Lin, F. (2010). Capability and efficiency of intellectual capital: The case of fabless companies in Taiwan. *Expert Systems with Applications*, 37(1), 546-555.
- Mention, A. L., & Bontis, N. (2013). Intellectual capital and performance within the banking sector of Luxembourg and Belgium. *Journal of Intellectual capital*, 14(2), 286-309.
- Mohsen, N. R. M. (2007). Leadership from the Quran, operationalization of concepts and empirical analysis: Relationship between Taqwa, trust and business leadership effectiveness. *Unpublishing Doctoral Dissertation, University Sains Malaysia, Malaysia*.
- Muniady, R. A. L., Mamun, A. A., Mohamad, M. R., Permarupan, P. Y., & Zainol, N. R. B. (2015). The Effect of Cognitive and Relational Social Capital on Structural Social Capital and Micro-Enterprise Performance. *SAGE Open*, 5(4), 2158244015611187.

- Nunnally, J. (1978). Psychometric methods.
- Ramayah, T., & Rahbar, E. (2013). Greening the environment through recycling: An empirical study. *Management of Environmental Quality: An International Journal*, 24(6), 782–801.
- Ramayah, T., Lee, J. W. C., & Boey, J. C. I. (2011). Network collaboration and performance in the tourism sector. *Service Business*, 5(4), 411–428. doi:10.1007/s11628-011-0120-z
- Ramayah, T., Yan, L. C., & Sulaiman, M. (2005). SME e-readiness in Malaysia: Implications for Planning and Implementation. *Sasin Journal of Management*, 11(1), 103-120.
- Ramezan, M. (2011). Intellectual capital and organizational organic structure in knowledge society: How are these concepts related? *International Journal of Information Management*, 31(1), 88-95.
- Ramírez, Y., Lorduy, C., & Rojas, J. A. (2007). Intellectual capital management in Spanish universities. *Journal of Intellectual Capital*, 8(4), 732-748.
- Ringle, C. M., Wende, S., & Becker, J.-M. (2015). *SmartPLS 3*. Boenningstedt: SmartPLS GmbH, <http://www.smartpls.com>.
- Rosman, M. (2010). *Prestasi Perusahaan Kecil: Satu kajian perbandingan ke atas program mikrokredit Amanah Ikhtiar Malaysia (AIM) dan Tabung Ekonomi Kumpulan Usaha Niaga (TEKUN)*. Tesis Ph.D. Universiti Malaya.
- Sang, S., Lee, J. D., & Lee, J. (2010). e-Government adoption in Cambodia: A partial least squares approach. *Transforming Government: People. Process and Policy*, 4(2), 138–157.
- Sarmani, Y. (2008). *Teori Kaunseling al-Ghazali*. PTS Islamika.
- Schloderer, M. P., Sarstedt, M., & Ringle, C. M. (2014). The relevance of reputation in the nonprofit sector: the moderating effect of socio-demographic characteristics. *International Journal of Nonprofit and Voluntary Sector Marketing*, 19(2), 110-126.
- Sharabati, A. A. A., Naji Jawad, S., and Bontis, N. (2010). Intellectual capital and business performance in the pharmaceutical sector of Jordan. *Management decision*, 48(1), 105-131.
- Sidani, Y., & Al Ariss, A. (2015). New conceptual foundations for Islamic business ethics: The contributions of Abu-Hamid Al-Ghazali. *Journal of business ethics*, 129(4), 847-857.
- SME Corp. Malaysia, (2013). SME Annual Report 2013/14. Available at: <http://www.smeCorp.gov.my/index.php/en/resources/2015-12-21-11-07-06/sme-annual-report/book/6/1?page=1>
- SME Masterplan, 2012-2020. Catalysing Growth and Income. National SME Development Council. Available at: <http://www.smeCorp.gov.my/index.php/en/resources/2015-12-21-11-07-06/sme-masterplan/book/11/1?page=1>
- Stewart, T.A. (1997). *Intellectual capital: the new wealth of organizations*, New York: Bantam Doubleday Dell Publishing Group, NY.
- Sydler, R., Haefliger, S., & Pruksa, R. (2014). Measuring intellectual capital with financial figures: Can we predict firm profitability?. *European Management Journal*, 32(2), 244-259.
- Taylor, S., & Todd, P. A. (1995a). Understanding information technology usage: A test of competing models. *Information Systems Research*, 6(2), 144–176. doi:10.1287/isre.6.2.144
- Tronconi, C., & Marzetti, G. V. (2011). Organization capital and firm performance. Empirical evidence for European firms. *Economics Letters*, 112(2), 141-143.

- Ullah, B., Aziz, A., & Yousaf, M. H. (2016). IC in SMEs in Pakistan. *Global Journal of Management and Business Research*. 15(11), 40-48.
- Vargas-Hernández, J. G., Noruzi, M. R., & Sariolghalam, N. (2010). An exploration of the affects of Islamic culture on entrepreneurial behaviors in muslim countries. *Asian Social Science*, 6(5), 120.
- Wang, F. S., & Yuan, B. (2017). Research on the Impact of Intellectual Capital on Corporate Value—Based on the Panel Data of Companies Listed on GEM. *Journal of Computational and Theoretical Nanoscience*, 14(1), 151-156.
- Wright, B. S. (1981). Islam and the Malay Shadow Play. *Asian Folklore Studies*, 51-63.
- Wu, W. Y., & Tsai, H. J. (2005). Impact of social capital and business operation mode on intellectual capital and knowledge management. *International Journal of Technology Management*, 30(1-2), 147-171.
- Yousef, D.A. (2001). Islamic work ethic - A moderator between organisational commitment and job satisfaction in a cross-cultural context, *Personnel Review*, 30(2), 152-165.

# Produk Pembiayaan Halal Dalam Amanah Ikhtiar Malaysia: Kontrak Murabahah Komoditi

**Raziah Md Tahir, Syarifah Md Yusof & Syazana Abd Rahman**

Pusat Pengajian Perniagaan Islam  
Universiti Utara Malaysia  
Amanah Ikhtiar Malaysia (AIM)

## Abstrak

Amanah Ikhtiar Malaysia (AIM) menawarkan pembiayaan kredit mikro kepada golongan wanita di Malaysia yang ingin menjalankan perniagaan secara kecil-kecilan. Sebelum memperolehi pembiayaan, golongan tersebut perlu menjadi sahabat AIM terlebih dahulu berpandukan kepada syarat-syarat yang telah ditetapkan. Sehingga tahun 2013, kaedah pembiayaan kredit mikro adalah melalui kontrak *al-qard al-hasan*. Namun mekanisme pelaksanaan kontrak tersebut didapati tidak menepati syarak atas sebab pengenaan caj pengurusan sebanyak 10 peratus setahun. Penetapan caj pengurusan dalam bentuk peratusan daripada jumlah pembiayaan adalah tidak dibenarkan dalam kontrak *al-qard al-hasan* menurut perspektif Islam. Hal yang demikian mendorong pihak AIM mengaplikasikan kontrak baharu yang menepati ciri produk pembiayaan halal iaitu kontrak *murabahah* komoditi. Justeru, kertas kerja ini bertujuan untuk meneliti tiga perkara utama iaitu kontrak *murabahah* komoditi, Bursa Suq al-Sila' dan aplikasi kontrak *murabahah* komoditi dalam pembiayaan AIM. Sumber data dan maklumat untuk kertas kerja ini diperolehi daripada temu bual bersama pihak pengurusan AIM dan dokumen-dokumen berkaitan. Dapatan yang diperolehi diharap dapat memberikan kefahaman yang jelas mengenai pelaksanaan kontrak *murabahah* komoditi di AIM. Pelaksanaan kontrak tersebut juga dapat merealisasikan hasrat AIM untuk menjadi salah sebuah institusi yang menawarkan produk pembiayaan halal berlandaskan syariah.

**Kata kunci:** Pembiayaan halal, Amanah Ikhtiar Malaysia dan Kontrak Murabahah Komoditi

## PENDAHULUAN

Pembiayaan kredit mikro Amanah Ikhtiar Malaysia (AIM) merupakan satu bentuk pembiayaan yang ditawarkan kepada golongan usahawan kecil dan sederhana dalam kalangan wanita di Malaysia. Usahawan ini perlu dilantik sebagai sahabat AIM terlebih dahulu sebelum memohon pembiayaan kredit mikro tersebut. Tujuan pembiayaan kredit mikro adalah untuk membantu sahabat membiayai pelbagai projek perniagaan yang ingin dijalankan dalam usaha meningkatkan taraf hidup isi rumah sahabat AIM. Bermula dari tahun 1987 sehingga 2013, AIM mengaplikasikan kontrak *al-qard al-hasan* dalam pembiayaan kredit mikro dengan pengenaan caj pengurusan sebanyak 10 peratus setahun bagi setiap jumlah pembiayaan. Namun kontrak tersebut didapati tidak memenuhi kehendak syarak kerana jumlah caj pengurusan menjadi tidak tetap dan semakin meningkat apabila jumlah pembiayaan

meningkat. Pada dasarnya, pertambahan dalam jumlah bayaran balik pembiayaan di bawah kontrak *al-qard al-hasan* adalah tidak dibenarkan dalam Islam (Raziah Md Tahir, 2014).

Namun, pelaksanaan caj pengurusan sebenar dalam kontrak *al-qard al-hasan* diperakui oleh keputusan persidangan '*ulama*' sedunia di bawah Persidangan Shariah *Accounting and Auditing Organization for Islamic Financial Institutions* (AAIOFI). Caj pengurusan sebenar ini mestilah tidak melibatkan kos-kos langsung seperti gaji pekerja, sewaan tempat dan tanggungan lain sesebuah institusi. Ia juga tidak boleh dikenakan dalam bentuk pengiraan kadar peratusan tertentu daripada jumlah pinjaman asal. Pelaksanaan caj pengurusan yang tidak menepati garis panduan AAIOFI ini boleh dikategorikan sebagai riba menurut perspektif Islam (Zaharuddin Abd. Rahman, 2010).

Justeru, penilaian semula terhadap bentuk kontrak pembiayaan dan caj pengurusan dilakukan dan pihak AIM telah menggantikan kontrak tersebut dengan kontrak *murabahah* komoditi. Kertas kerja ini cuba meneliti tiga perkara utama berkaitan tajuk ini iaitu kontrak *murabahah* komoditi, Bursa *Suq al-Sila'* dan aplikasi kontrak *murabahah* komoditi dalam pembiayaan AIM.

## **KONTRAK MURABAHAH KOMODITI**

Bank Negara Malaysia telah memperkenalkan Program *Murabahah* Komoditi (PMK) pada bulan Mac 2007. PMK adalah salah satu instrumen yang terdapat dalam pasaran kewangan Islam. Ia membolehkan bank-bank di Malaysia menguruskan pelaburan jangka pendek mereka. PMK merupakan urusniaga berasaskan komoditi yang menggunakan kontrak berasaskan minyak sawit mentah sebagai aset dasarnya. Pada awal tahun 2007, BNM telah memeterai perjanjian induk *murabahah* komoditi dengan lapan institusi perbankan Islam di Malaysia. *Murabahah* komoditi merupakan satu bentuk urusniaga berasaskan komoditi, yang diterima di seluruh dunia, untuk memudahkan pengurusan kecairan dan pelaburan (BNM, 2017).

Kontrak *murabahah* komoditi atau lebih dikenali sebagai *tawarruq* merujuk kepada transaksi jual beli komoditi berasaskan pembayaran tangguh secara *murabahah* (iaitu harga kos komoditi ditambah dengan margin keuntungan) daripada penjual kepada pembeli. Seterusnya, komoditi tersebut akan dijual secara tunai kepada pihak ketiga (selain daripada penjual asal) bagi mendapatkan tunai. Kebiasaannya, kontrak ini diguna pakai dalam struktur produk deposit, pembiayaan, pengurusan aset dan tanggungan risiko (Bank Rakyat, 2017).

Kontrak *murabahah* komoditi atau *tawarruq* ini merupakan kontrak alternatif kepada *bay' al-inah* yang diaplikasikan dalam pembiayaan peribadi di institusi perbankan di Malaysia sebelum ini. Memandangkan *bay' al-inah* menimbulkan kontroversi dalam kalangan sarjana Islam, pihak institusi perbankan telah menggantikannya dengan *tawarruq*. Justeru, institusi kewangan dan perbankan Islam perlu menjauhi transaksi *bay' al-inah* kerana isu helah yang wujud di dalamnya dan perlu menggantikannya dengan kontrak lain seperti *mudarahah*, *musyarakah* atau *tawarruq* (Engku Rabiah Adawiyah Engku Ali, 2008).



Dalam kontrak *tawarruq*, komoditi yang terlibat perlu memenuhi kriteria tertentu agar kehendak syariah dipatuhi dalam urusan niaga tersebut. Kebiasaannya pihak institusi kewangan dan perbankan Islam menggunakan khidmat Pasaran Bursa Komoditi *Murabahah* atau dikenali sebagai Bursa *Suq al-sila'* (BSAS). Peranan BSAS adalah sebagai platform dagangan komoditi syariah berasaskan laman sesawang elektronik. Dalam struktur BSAS ini, pihak penjual disyaratkan untuk memiliki komoditi terlebih dahulu sebelum melakukan urusan niaga. BSAS diperkenalkan hasil kerjasama di antara BNM, Suruhanjaya Sekuriti, Bursa Malaysia dan peserta industri kewangan Islam (Mohd Izuwan Mahyudin, 2015).

Antara mazhab yang mengharuskan konsep *tawarruq* ini adalah mazhab Syafie, Hanafi dan Hambali. Keharusan penggunaan kontrak *tawarruq* ini dapat dijelaskan melalui firman Allah SWT yang bermaksud:

“....*padahal Allah SWT telah menghalalkan jual beli dan mengharamkan riba*”  
(al-Baqarah, 2:275)

Umumnya, para ulama berpandangan ayat di atas menunjukkan bahawa *tawarruq* dibenarkan kerana ia adalah sebahagian daripada kegiatan jual beli.

Kaedah fiqh pula menggariskan bahawa *al-asl fil mu'amalat al-ibahah* yang bermaksud asal hukum muamalah adalah harus, kecuali ada dalil yang mengharamkannya. Sebaliknya, hal yang berkaitan dengan ibadah pula adalah dilarang sehinggalah ada nas syarak yang mengharuskannya. Ibn Qayyim (1977), menjelaskan bahawa dalam aspek ibadah, walaupun manusia disuruh menyembah Allah SWT tetapi mereka dilarang beribadat kecuali ada nas yang menyuruh berbuat demikian. Berbeza halnya dengan muamalah kerana semua bentuk muamalah adalah dibenarkan syarak tanpa perlu mencari dalil keharusannya, tetapi apa yang perlu dicari adalah dalil pengharamannya. Selagi tidak ada dalil yang melarangnya, maka muamalah tersebut adalah harus (Ibn Qayyim, 1997).

Walau bagaimanapun, Al-Qaradawi (1998) menegaskan bahawa prinsip *al-asl fil mu'amalat al-ibahah* tidak boleh diguna pakai kepada instrumen kewangan yang sedia ada pada hari ini. Status instrumen kewangan konvensional adalah haram kecuali ia telah dikaji dan dibuktikan sebagai patuh syariah. Hal demikian kerana instrumen kewangan konvensional yang ada pada hari ini adalah hasil daripada ciptaan kapitalis yang berteraskan riba. Semua instrumen kewangan konvensional yang diperkenalkan di pasaran adalah bermotifkan keuntungan semata-mata tanpa mengambil kira halal dan haram daripada sudut syariah. Oleh itu, setiap instrumen berkenaan perlu dikaji terlebih dahulu bagi menentukan sama ada ia mematuhi kehendak Syariah atau pun sebaliknya (Syarifah Md Yusof, 2015).

### **Bursa Suq al-Sila' (BSAS)**

Bursa *Suq al-Sila'* (BSAS) merupakan satu pasaran komoditi yang dibangunkan oleh Bank Negara Malaysia dengan kerjasama Suruhanjaya Sekuriti dan Bursa Malaysia Berhad bagi memenuhi keperluan industri kewangan Islam. BSAS merupakan gabungan perkataan bahasa arab iaitu *bursah* (platform), *suq* (pasaran) dan *al-sila'* (barangan/komoditi). Secara umumnya BSAS berperanan sebagai platform yang menjalankan urusan niaga perdagangan komoditi. Pada

peringkat awal ia dikenali sebagai Commodity Murabahah House. BSAS telah dilancarkan secara rasmi pada 17 Ogos 2009 oleh pihak Bursa Malaysia. Pelaksanaan Bursa Suq Al-Sila' turut mendapat sokongan padu daripada beberapa pihak lain seperti Lembaga Minyak Sawit Malaysia/*Malaysian Palm Oil Board* (MPOB), Pertubuhan Minyak Sawit Malaysia/*Malaysia Palm Oil Association* (MPOA) dan Majlis Minyak Sawit Malaysia/*Malaysia Palm Oil Council* (MPOC) (Syahnaz Sulaiman, 2016).

Menurut Syahnaz Sulaiman (2016), BSAS dibangunkan bagi memudah cara transaksi, menyediakan kemudahan pengurusan kecairan kewangan dan penstrukturan produk kewangan seperti deposit, pembiayaan, pelaburan dan lindung nilai bagi industri kewangan Islam. BSAS dilaksanakan menerusi aplikasi atas talian bagi urus niaga perdagangan komoditi seperti minyak sawit mentah dan Polyethelyne (Plastic Resin) dalam Ringgit Malaysia dan mata wang asing. Di sinilah terletak keunikan BSAS kerana melibatkan kombinasi perdagangan aset fizikal menerusi aplikasi elektronik secara maya, merentasi sempadan dan dapat diakses dari seluruh dunia. Bagi menjadikan pasaran lebih berdaya maju dan berdaya saing, urus niaga akan turut dikembangkan kepada penawaran komoditi-komoditi lain dalam jangkamasa terdekat.

Mekanisme Bursa Suq Al-Sila' adalah berteraskan konsep *murabahah* dan *tawarruq*. Model Bursa *Suq Al-Sila'* telah mendapat kelulusan Majlis Penasihat Syariah Suruhanjaya Sekuriti pada 5 Februari 2008 dan Majlis Penasihat Syariah Bank Negara Malaysia pada 30 Julai 2008. Antara ciri-ciri utama Bursa *Suq Al-Sila'* ialah urus niaga yang dijalankan adalah berdasarkan kontrak *tawarruq* dan *murabahah*. Aset pendasar bagi transaksi ini pula ialah minyak sawit mentah dan polyethelyne (*plastic resin*) yang mempunyai spesifikasi yang khusus.

Bentuk spesifikasi khusus ialah komoditi tersebut wujud dan boleh dikenal pasti, boleh dimiliki sebelum dijual, kualiti boleh ditentukan dari segi intipati, piawaian dan nilai dan boleh dihantar dan diserahkan kepada pembeli. Selain itu, peserta pasaran dalam BSAS adalah pihak-pihak yang telah diluluskan untuk berurus niaga di BSAS yang terdiri daripada pembekal minyak sawit mentah dan polyethelyne (*plastic resin*), broker dan institusi-institusi kewangan Islam.

Mekanisme transaksi Bursa *Suq Al-Sila'* adalah seperti berikut:

Pelanggan yang memerlukan pembiayaan menghubungi pihak bank. Bank mendapatkan persetujuan pelanggan mengenai fasiliti pembiayaan yang dikehendaki misalnya RM100,000.00.

1. Bank menyertai platform Bursa *Suq Al-Sila'* dengan membeli komoditi dengan nilai RM100,000.00 daripada Pembekal A.
2. Seterusnya bank menjual komoditi tersebut kepada pelanggan dengan harga RM110,00.00 secara tangguh (termasuk keuntungan bank). Pada ketika ini, pelanggan berhak untuk mengambil komoditi tersebut sekiranya dia berhasrat untuk menyimpan komoditi. Walau bagaimanapun, memandangkan pelanggan ingin mendapatkan tunai, pelanggan boleh menjual terus komoditi kepada Bursa (sekiranya pelanggan adalah ahli Bursa Malaysia Islamic Services) ataupun melantik bank sebagai wakil untuk menjual

komoditi berkenaan kepada Bursa Suq *Al-Sila'* (sekiranya pelanggan adalah bukan ahli Bursa Malaysia *Islamic Services*).

3. Bank bertindak sebagai wakil pelanggan menjual komoditi kepada Bursa pada harga RM100,000.00 secara tunai dan seterusnya Bursa menjual komoditi kepada pasaran secara rawak.

Ilustrasi di atas menunjukkan transaksi Bursa Suq *Al-Sila'* menjadi platform kepada urus niaga komoditi bagi membolehkan pihak bank mendapatkan kecairan bagi memenuhi keperluan tunai pelanggan secara cekap dan efisien.

Sungguhpun pelbagai isu syariah telah dibangkitkan oleh fuqaha kontemporari mengenai mekanisme Bursa Suq *Al-Sila'*, kewujudan BSAS sebenarnya adalah tertakluk kepada pematuhan parameter syariah yang ketat sebagaimana yang telah ditetapkan oleh Majlis Penasihat Syariah Bank Negara Malaysia serta Suruhanjaya Sekuriti Malaysia bersandarkan kepada faktor keperluan industri perbankan dan kewangan Islam tempatan dan antarabangsa.

Dalam hal ini, BSAS telah dibangunkan sebagai platform alternatif kepada broker London Metal Exchange (LME) memandangkan broker LME dikhuatiri tidak memenuhi aspek pematuhan syariah. Dalam BSAS, aspek penyerahan (*taking delivery*) komoditi ditetapkan sebagai salah satu syarat sah urus niaga jual beli dalam BSAS. Kewujudan BSAS juga dapat mengurangkan pengaliran tunai ke luar negara.

Pembangunan Bursa Suq *Al-Sila'* merupakan hasil gabungan idea, kreativiti dan inovasi pelbagai pihak ke arah melahirkan sistem kewangan Islam yang berdaya maju serta mampu menarik minat peserta di peringkat tempatan mahupun global. Kewujudan BSAS jelas menggambarkan kesungguhan dan keupayaan Bursa Malaysia sebagai pengurus pasaran yang dinamis. Dengan penyertaan melibatkan 32 peserta pasaran tempatan dan luar negara termasuk Arab Saudi, Kuwait, Emiriyah Arab Bersatu dan Singapura semenjak dari awal penubuhannya, BSAS akan terus mengorak langkah bagi menawarkan mekanisme pengurusan kecairan secara telus dan kompeten kepada pelanggan pasaran. Aspek pematuhan syariah akan terus diberikan perhatian bagi memastikan penawaran perkhidmatan dan mekanisme BSAS adalah menepati prinsip-prinsip syariah.

#### **Aplikasi Kontrak *Murabahah* Komoditi Dalam Pembiayaan AIM**

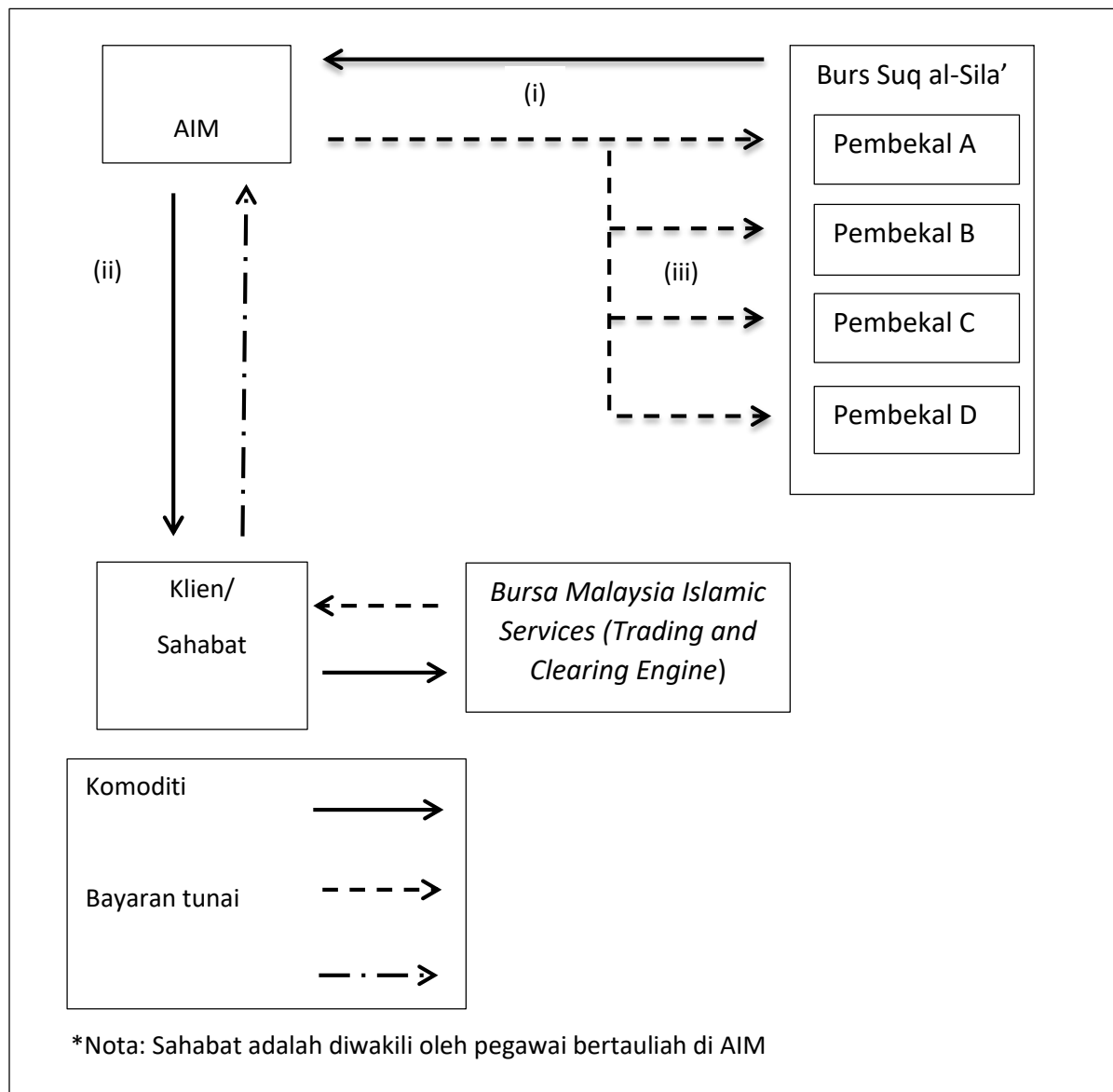
Berdasarkan temu bual bersama pihak pengurusan AIM, kontrak *murabahah* komoditi (*tawarruq*) diaplikasikan secara sepenuhnya ke atas produk pembiayaan kredit mikro AIM mulai tahun 2014. Ia merupakan kontrak terbaik setakat ini dalam usaha menjadikan AIM sebagai sebuah institusi yang menawarkan produk pembiayaan halal. Kontrak ini sesuai diguna pakai dalam pembiayaan sahabat memandangkan golongan ini memerlukan wang tunai untuk digunakan bagi pelbagai bentuk perniagaan yang dilakukan.

*Tawarruq* merujuk kepada urusan niaga muamalah yang melibatkan dua peringkat urusan niaga. Pada peringkat pertama, urusan niaga tersebut melibatkan pembelian secara kredit (bayaran secara tangguh) antara pembeli iaitu sahabat AIM (pihak 1) dengan penjual komoditi iaitu pihak AIM (pihak 2). Pihak AIM perlu membeli komoditi tersebut daripada pembekal komoditi asal (pembekal A) di BSAS. Pada peringkat kedua, sahabat AIM mewakili pihak AIM untuk menjual semula komoditi tersebut secara tunai kepada pembekal B (pihak 3) di BSAS. Ketika membeli komoditi tersebut secara kredit, sahabat AIM tidak berniat untuk menggunakan atau memanfaatkan komoditi tersebut, tetapi hanya ingin menjualnya semula bagi memperoleh wang tunai. Urusan niaga peringkat pertama tadi dikenali sebagai *murabahah* komoditi kerana jual beli dilakukan berasaskan konsep tambahan untung (margin keuntungan) ke atas harga asal yang akan dibayar secara ansuran oleh sahabat AIM. Pada peringkat kedua, wujud konsep wakalah dan jual beli iaitu AIM sebagai wakil dalam urusan jual beli secara tunai dengan pihak ketiga.

Produk pembiayaan berasaskan konsep *tawarruq* (*murabahah* komoditi) ini diaplikasikan di kebanyakan institusi kewangan Islam. Mekanisme pembiayaan AIM berasaskan kontrak *murabahah* komoditi dilaksanakan seperti berikut:

- i. AIM membeli komoditi daripada pembekal komoditi (A) secara tunai dalam pasaran komoditi di BSAS.
- ii. AIM menjual komoditi tersebut kepada sahabat AIM secara kredit pada harga kos ditambah margin keuntungan.
- iii. Sahabat AIM melantik AIM sebagai wakil untuk menjual semula komoditi tersebut kepada pembekal komoditi (B), (C) atau (D) secara tunai dalam pasaran komoditi di BSAS.
- iv. Jualan secara tunai kepada pembekal komoditi (B), (C) atau (D) akan membolehkan pelanggan mendapatkan amaun tunai pembiayaan, manakala jualan secara tangguh daripada pihak AIM kepada sahabat AIM akan mewujudkan obligasi kewangan yang perlu dibayar oleh sahabat dalam tempoh yang telah dipersetujui.

Mekanisme pelaksanaan kontrak *murabahah* komoditi dalam pembiayaan AIM tersebut dapat digambarkan melalui Rajah 1.



**RAJAH 1: MEKANISME KONTRAK MURABAHAH KOMODITI DALAM PEMBIAYAAN AIM**

AIM melaksanakan kontrak *tawarruq* kerana Majlis Penasihat Syariah (MPS), Bank Negara Malaysia telah memutuskan bahawa produk pembiayaan yang berasaskan konsep *tawarruq* adalah dibenarkan.

Dalam melaksanakan konsep *tawarruq* ini, AIM telah memilih Bursa Suq al-Sila' (BSAS) sebagai pasaran yang membekalkan komoditi. BSAS menyediakan platform dagangan komoditi syariah berasaskan web sesawang elektronik sepenuhnya yang sebelum ini dikenali sebagai *Commodity Murabahah House* (CMH). Ia merupakan platform komoditi antarabangsa yang memudahkan urus niaga pelaburan dan pembiayaan Islam berasaskan komoditi di bawah prinsip *tawarruq*, *murabahah* dan *musawamah*. Komoditi pilihan AIM sebagai permulaan adalah minyak sawit mentah (*crude palm oil*, CPO) yang mempunyai spesifikasi yang jelas didagangkan dalam nilai ringgit.

Penggunaan CPO sebagai aset sandaran dilihat sebagai memenuhi syarat barangan untuk urusan jual beli kerana ia wujud dan boleh dikenalpasti (secara zat), boleh dimiliki sebelum dijual, serta kualitinya boleh ditentukan berdasarkan spesifikasi yang ditetapkan dari segi intipati, piawaian dan nilai. Di samping itu, CPO yang dijual beli adalah bebas daripada terma ikatan dan CPO tersebut boleh dihantar kepada pembeli.

Pelaksanaan kontrak *murabahah* komoditi ini mengikut rukun dan syarat *murabahah* menurut syarak dari segi pihak yang berakad, barang akad, harga dan *sighah* (*ijab dan qabul*). Pihak yang berakad iaitu penjual dan pembeli mestilah waras, cukup umur dan cerdik. Kedua-duanya bukanlah orang yang dihalang daripada berkontrak atas sebab muflis dan bukan atas sebab paksaan. Penjual dan pembeli boleh terdiri daripada individu atau organisasi.

Barang atau subjek akad pula mestilah wujud semasa akad dan berada dalam pemilikan penjual. Ia juga mestilah berada dalam pegangan penjual asal dan halal menurut syarak. Barangan tersebut juga mestilah berguna dan bernilai menurut syarak. Ia juga perlu bebas daripada sebarang cagaran, subjeknya jelas dan dapat dikenal pasti berdasarkan alamat, spesifikasi dan gambar.

Dalam penentuan harga barangan, ia mestilah menggunakan matawang yang dikenali dan masa bayaran harga jualan perlu ditentukan pada masa akad. Harga jualan tersebut mestilah dinyatakan dalam satu jumlah yang pasti, yang merangkumi kos dan keuntungan. *Sighah* di antara penjual dan pembeli mestilah menggunakan ayat yang jelas, nyata, tetap dan tidak bersyarat. Ia juga tidak boleh terikat kepada suatu tempoh masa. Penerimaan juga mesti selari dengan penawaran dan dilaksanakan di dalam satu majlis yang sama.

Dalam pelaksanaan *tawarruq* ini, kontrak *wakalah* merupakan satu elemen yang penting. *Wakalah* merupakan suatu kontrak perlantikan ejen di mana seseorang individu melantik seseorang yang lain untuk bertindak bagi pihak beliau. Dengan kata lain, *wakalah* bermaksud memberi kuasa kepada orang lain untuk mengurus hal-hal tertentu di bawah kuasanya. Dalam pembiayaan Islam, kontrak *wakalah* boleh diaplikasikan dalam dua keadaan. Pertama, pembiayaan dilantik oleh pelanggan untuk bertindak sebagai ejen pelanggan. Kedua, pembiaya melantik pelanggan sebagai ejen pembiaya.

Dalam proses mendapatkan jumlah pembiayaan AIM, sahabat AIM dikehendaki mengisi empat borang iaitu (1) Borang Permohonan Pembiayaan, (2) Borang Permohonan Pembelian Komoditi dan Perlantikan Wakil Menyempurnakan Akad (Wakalah 1), (3) Borang Perlantikan Wakil Bagi Penjualan Komoditi (Wakalah 2) dan (4) Borang Kontrak Murabahah.

## KESIMPULAN

Dalam usaha menjadi sebuah institusi kewangan Islam, AIM berhasrat untuk menawarkan produk pembiayaan yang benar-benar halal menurut syarak. Atas sebab itu, kontrak pembiayaan di bawah kontrak *al-qard al-hasan* dengan pengenaan caj pengurusan yang didapati tidak menepati hukum syarak telah digantikan sepenuhnya dengan kontrak

*murabahah* komoditi. Kontrak ini adalah lebih sesuai kerana ia menggunakan konsep margin keuntungan dalam kontrak pembiayaan yang dibenarkan dalam Islam.

## RUJUKAN

- Al-Qaradawi, Yusuf. (1998). *Bay' al- Murabahah lil-Amir bi al-Syira' Kama Tujrihi al-Masarif al-Islamiyyah: Dirasah fi Daw' al-Nusus wa al-Qawa'id al-Syari'iyah*. Beirut: Mu'assasah al-Risalah.
- BNM, [http://iimm.bnm.gov.my/view.php?id=72&dbIndex=0&website\\_id=14&ex=1216289403&md=%C3%88%E2%80%9Em%20](http://iimm.bnm.gov.my/view.php?id=72&dbIndex=0&website_id=14&ex=1216289403&md=%C3%88%E2%80%9Em%20), diakses pada 10 Ogos 2017.
- Engku Rabiah Adawiah Engku Ali. (2008). Bay' al-Inah and Tawarruq: Mechanism and Solutions. Dalam Bakar, M.D et. al, *Essential Readings in Islamic Finance*, (p. 133-165). Kuala Lumpur: CERT Publication Sdn Bhd.
- Ibn Qayyim al-Jawziyyah, Syam al-Din Abu 'Abd Allah Muhammad b. Abi Bakr. (1977). *I'lam al-Muwaqqi'in 'an Rabb al-'Alamin*. 4 juz, cet 2. Beirut: Dar al-Fikr.
- Mohd Izuwan Bin Mahyudin. (2015). *Aplikasi Tawarruq Dalam Sistem Perbankan Islam: Kajian di Bank Muamalat Malaysia Berhad*. Tesis Sarjana yang diserahkan kepada Jabatan Syariah dan Ekonomi, Akademi Pengajian Islam, Universiti Malaya. Tidak diterbitkan.
- Raziah Md Tahir. (2014). Mekanisme Operasi Pembiayaan Kredit Mikro Amanah Ikhtiar Malaysia (AIM). Analisis Dari Perspektif Islam, Tesis Doktor Falsafah Tidak Diterbitkan, Universiti Utara Malaysia.
- Syahnaz Sulaiman. (2016). *Bursa Suq Al-Sila': Platform Pengurusan Kecairan Tunai*. Diakses dari <http://e-muamalat.islam.gov.my/artikel/bursa-suq-al-sila-platform-pengurusan-kecairan-tunai> pada 8 Oktober 2016.
- Syarifah Md Yusof. (2015). Corak Penggunaan Produk Kewangan Islam dan Konvensional dalam Kalangan Staf Akademik, Tesis Doktor Falsafah Tidak Diterbitkan, Universiti Sains Malaysia.
- Temu bual dengan Pegawai Eksekutif Syariah AIM di Ibu Pejabat Amanah Ikhtiar Malaysia, Damansara Kuala Lumpur pada 5 Mei 2017 jam 3.00 petang.
- Zaharuddin Abd Rahman. (2009). *Murabahah: Teori, Aplikasi & Isu Dalam Perbankan. Malaysia: Truewealth Publishing*.
- Zaharuddin Abd. Rahman. (2010). *Riba dan Isu Kewangan Semasa*. Kuala Lumpur: Telaga Biru Sdn. Bhd.

## **Pembiayaan Halal Dan Zakat Asnaf Al-Gharimin Dalam Kalangan Peserta Tekun Nasional**

**Nadiah Nabilah Baharum, Raziah Md Tahir & Abu Bakar Hamed,**

Pusat Pengajian Perniagaan Islam  
Universiti Utara Malaysia  
nadiahnabilah88@gmail.com, raziah@uum.edu.my,  
abubakarhamed123@gmail.com

### **Abstrak**

Tekun Nasional merupakan agensi di bawah Kementerian Pembangunan Usahawan dan Koperasi. Penubuhannya bertujuan untuk menyediakan kemudahan pembiayaan mikro kepada bumiputera bagi memulakan perniagaan serta mengembangkan lagi perniagaan mereka. Pembayaran balik dibuat sama ada setiap minggu, dua minggu sekali atau sebulan sekali bergantung kepada persetujuan peminjam. Namun, segelintir peminjam Tekun Nasional tidak mampu membayar balik pembiayaan tersebut mengikut tempoh yang dipersetujui. Kajian ini bertujuan untuk meneliti dua perkara utama. Pertama, meneliti proses pembiayaan kredit mikro yang diaplikasikan oleh Tekun Nasional. Kedua, meneliti peranan agihan zakat kepada asnaf al-gharimin dalam kalangan peserta Tekun Nasional yang menghadapi masalah bayaran balik. Data dan maklumat kajian diperolehi daripada sumber primer melalui kaedah temu bual informan terpilih dan sumber sekunder daripada dokumen berkaitan. Analisis awal mendapati peminjam Tekun Nasional yang memenuhi ciri-ciri asnaf *al-gharimin* adalah layak menerima bantuan zakat. Baki hutang yang tidak mampu dibayar oleh peminjam boleh diselesaikan dengan menggunakan wang zakat seterusnya dapat membantu meringankan beban usahawan kecil bumiputera tersebut untuk meneruskan perniagaan.

**Kata kunci :** Pembiayaan halal, zakat, asnaf al-gharimin, Tekun Nasional

### **a) PENDAHULUAN**

Islam amat menitikberatkan soal halal dan haram dalam kehidupan umatnya. Halal dan haram bukan sahaja tertumpu kepada soal makan dan minum malahan ia merangkumi keseluruhan aspek kepenggunaan termasuklah hal-hal yang berkaitan dengan pembiayaan. Permintaan terhadap pembiayaan bermula seiring dengan pertumbuhan industri perbankan di Malaysia. Pada awal tahun 80-an, kesedaran pengguna mengenai keperluan mengamalkan urusan niaga berlandaskan Islam masih rendah. Permintaan terhadap produk pembiayaan Islam juga masih kurang berbanding konvensional. Penubuhan Bank Islam Malaysia Berhad pada tahun 1983 dan Bank Muamalat pada tahun 1999 telah menjadi perintis kepada penawaran produk pembiayaan Islam dan kini ianya menjadi pilihan utama dalam kalangan pengguna Islam. Pembiayaan Islam merupakan pembiayaan halal yang mematuhi kehendak syariah. Antara produk pembiayaan halal yang ditawarkan oleh institusi kewangan Islam adalah mudarabah, bai' Bithaman Ajil, murabahah, musyarakah, ijarah, bai' al-inah, tawarruq dan sebagainya.