

System Payment Mu'nah in Gold Pawn Financing Indonesian Syariah Bank, Lumajang S. Parman Branch Office

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Abstract: Maintenance fee (*mu'nah*) is a gold pawn maintenance fee that is calculated based on a certain proportion of the estimated collateral pawned by the customer. The purpose of this study was to determine the gold pawn financing mechanism of Bank Syariah Indonesia, Lumajang S. Parman Branch Office and to describe the implementation of the *mu'nah* payment system of Bank Syariah Indonesia, Lumajang S. Parman Branch Office. The type of research used in this study is a qualitative method with a descriptive approach. Data collection techniques use interviews, observation and documentation, then the data is analyzed by reducing data, presenting data, drawing conclusions. Data validity uses source triangulation techniques. This study concluded: 1) The gold pawn financing mechanism at BSI KCP Lumajang S. Parman has a very easy process with simple terms and conditions, no interest is charged, financing does not contain *gharar* and is based on sharia law. 2) Implementation of the *mu'nah* payment system in gold pawn financing, there is collateral in the form of jewelry or gold bars held by BSI and its security and safety are maintained by imposing *mu'nah* fees (maintenance fees) which are borne by the customer. Customers who take financing below the predetermined estimated value get a *mu'nah* discount. The determination of the *mu'nah* fee discount has been automatically systematized when the officer inputs the nominal financing taken by the customer.

Keyword: payment *mu'nah*, pawn gold

Introduction

Nowadays, in this global era, society is increasingly required to have a stable life or income by the social environment which forms the reality that the more human life develops, the more it is needed. then the needs and the increasing cost of living are increasingly complex. This is caused by several factors such as limited funds. Which results in the general public tending to looking for alternative ways to meet their needs by applying for loans through financial and *non-financial* institutions accurately and legally.

Bank Syariah Indonesia is one of the Islamic financial institutions established in Indonesia. Bank Syariah Indonesia serves as an intermediary institution in terms of collecting funds and distributing funds aimed at the community. This can be called financing. Progress by Islamic banks can be felt after the regulation of Law No. 21 of 2010 concerning Islamic Banking which encourages the development of Islamic banks. The development of Islamic banks is driven by the public's desire to create financial services that are implemented based on Islamic sharia principles and morals.

Financing must be maintained in quality because it is part of the assets of Islamic banks. In financing at Bank Syariah Indonesia there are many products,

one of which is BSI Mitra with gold collateral, financing for consumptive or productive purposes that uses the contract *murabahah/ musyarakah mutanaqishah/ ijarah* with collateral in the form of gold tied to a *rahn* (pawn) agreement.

Product pawn gold in Bank Indonesian Sharia experience increase in September 2021 to 17.98% from the same period in 2020. According to the monthly report, Bank Syariah Indonesia noted that income from fund distribution with *ijarah* agreement in November rose to Rp. 779,768 million from 709,266 million in the previous month.

Pawn is one category of debt agreement, which where For a trust from person Which in debt, so a person who has debt pawns his goods as collateral for his debt. The goods remain the property of the person who pawned (the person who owes) but are controlled by the pawn recipient (the creditor). This practice has existed since the time of the Prophet Muhammad SAW, he also did it. Pawning has a high social value and is done voluntarily on the basis of mutual assistance.⁶ Meanwhile The definition of gold itself, gold is a *no fear investment* , namely a commodity that can withstand inflation and its value will follow developments unlike money which can change its value when inflation and deflation occur. The pillars of sharia pawn consist of: *ar-rahin* (the person who hands over the collateral) and *al-murtahin* (the person who receives the collateral), *al-marhun* (collateral).

The conditions that must be met for goods to be pawned by *the rahin* (mortgagor) are that they can be handed over, are useful, belong to *the rahin* , legally, clearly, are not united with other assets, are controlled by *the rahin* and are assets that are fixed or moved. Thus, goods that cannot be traded cannot be pawned. *Al-marhun bih* (debt) according to Hanafiyah and Shafiiyah scholars, the conditions for a debt that can be used as a basis for a pawn right are in the form of a debt that can still be utilized, the debt must be common at the time of the contract, the debt must be clear and known by *the rahin* and *murtahin* , *shigat* . While That, harmonious *rahn* according to *school of thought* Hanafi is *consent* and *qabul* , whereas three other is condition from contract *rahn* . To perfect and bind the *rahn* contract, *al-qabadh* (delivery of goods) is required by the debtor.

Meanwhile, the conditions for pawning consist of: *ar-rahin* and *murtahin* , both of which are required to be legally valid, marked by has reached *puberty* and is of sound mind, *marhun bih* (debt), *marhun* (collateral/security) as collateral for debt with the criteria that the collateral can be for sale And its value balanced, worth treasure, clear And certain, owned by the legal debtor, is a complete asset, can be transferred, *shigat akad* (must not be bound by certain conditions and future time .

Like conventional pawnshops, Islamic pawnshops also distribute loan money with collateral in the form of movable objects, valuables. This can overcome the difficulties of people who need funds without losing valuables. Items used as collateral can be redeemed after the community has paid off a certain amount of money. The amount of money desired can be adjusted to the price of the collateralized goods so that customers obtain the funds they need relatively quickly.

Practice pawn gold that operated by Pawnshop Sharia and Bank Syariah Indonesia generally applies three contracts, namely the *qardh* contract in the context of *rahn* and the *ijarah* contract . The *qardh* contract in the context of *rahn* is a contract between a bank that provides a loan to a customer accompanied by the requirement of transferring obligations where the bank as the lender will keep And guard goods guarantee owned by customers. Collateral stored by the bank will be maintained and guarded by charging a rental fee which is

also known as an *ijarah* contract. The *rahn* contract is defined as an agreement between the customer who hands over the goods. guarantee to the bank due to borrowing and lending transactions.

Theoretical Study

A. Payment System

Payment system is a system that includes arrangements, contracts/agreements, operational facilities and technical mechanisms used for the delivery, validation and acceptance of payment instructions and the fulfillment of payment obligations through the exchange of "value" between individuals, banks, other institutions both domestically and *across borders* between countries. In practice, payment transactions are carried out with non-cash and cash instruments. Payment instruments used by the public depends on many factors, including economic level, culture and preferences. However, cash instruments are usually used for large value transactions. The percentage of non-cash payment usage generally increases continuously in line with the economic development of the country concerned, with a tendency for cash payment usage to decrease. For example, in Japan, cash payments with cash and checks are decreasing, while payments with other instruments (electronic, such as cards) are increasing. In Germany, payments with card-based instruments are increasing year by year.

B. *Mu'nah* (Cost Maintenance)

Mu'nah is defined as the amount of costs set for the maintenance of collateral to ward off the rates imposed by sharia law. Rates checking and adjustment, service rates and repair rates are costs contained in maintenance activities. *Mu'nah* is also a maintenance cost with a guarantee of valuables owned by the customer stored by the pawnbroker and can be said as a profit sharing between the *rahn* or customer to the pawnbroker, the pawnbroker also maintains, cares for and guards so that the entrusted goods are not damaged and not lost. So, in Bank Syariah Indonesia, customers put up collateral known as *mu'nah* or collateral maintenance costs.

Difference technical between *mu'nah* with flower, rates administration of *mu'nah* according to the provisions based on the group of goods, while the interest administration rate is according to the percentage based on the group of goods. *Mu'nah* is based on the estimated value and a maximum grace period of 4 months, while the capital lease interest is based on loans and have a maximum grace period of 3 months.

Hadith narrated by Imam Muslim Number 3007 in the book of Irrigation, explains that:

Meaning: has tell to us Yahya bin Yahya and Abu Bakr bin Abu Shaybah and Muhammad bin 'Ala and this is the wording of Yahya, Yahya said; he informed us, while the other two said; he informed us Ash Mu'awiyah from Al A'masy from Ibrahim from Al- Aswad narrated from Aisha that she said, "The

Messenger of Allah (peace and blessings of Allah be upon him) once bought food from a Jew with deferred payment, then he pawned his armor ."

Provision Fatwa DSN-MUI Number 25 Year 2002 about *rahn* :

- a. Pawnshop entitled keep until all over debt paid off;
- b. *Rahn* entitled on ownership against *Marhun* along with its benefits;
- c. *Murtahin* may not use *marhun* without permission from *Rahin* , where mark *marhun* No reduced related bill cost care and maintenance;
- d. *Murtahin* and *rahin* can be responsible for the maintenance and storage of *marhun* , but *rahn* must be responsible for the costs;
- e. The loan amount is not used as a reference for profit sharing rates and security for goods.

C. **Financing**

Financing that is funding Which given by a party to party other For support investment planned , in other words financing is funding that is issued to support planned investments. generally, objective financing there are three:

- a. Seeking profit, the profit is obtained in the form of profit sharing received by the bank as compensation and financing administration fees charged to customers;
- b. Helping customers' businesses, helping customers who need funds such as working capital or funds for investment;
- c. Helping the government, for the government the more credit is distributed, the better, considering that more credit means there is an injection of funds in order to increase development in various sectors, especially the real sector.

Financing function:

- a. To increase the utility of money, meaning that if money is just saved it will not produce anything useful;
- b. To increase the utility of goods, financing is provided by institution will used by Customer For managing items that were originally useless to become useful and beneficial.
- c. Increasing money circulation, in addition to being able to increase or smooth the flow of goods from one region to another. So that the number of goods in circulation increases or financing can also increase the number of goods in circulation

D. **Gold Pawn**

A mortgage is a security that is given by the debtor to the lender. The lender has full power to sell the collateral if the debtor is no longer able to pay the debt when it falls due. The collateral remains the property of the person who mortgages it (the debtor) but is controlled by the mortgagee (the creditor).

According to Anshori (2007:129), sharia gold pawning is pawning or physically handing over the owner's rights to property/goods. Which valuable (in the form of gold) from customer (*rahin*) to the bank (*murtahin*)

to be managed with the principle of *ar- rahn*, namely as collateral (*al-marhun*) on loan/debt (*al-marhun (below)*) which is given to customers to the bank as collateral or in full for the debts owned by the customer.

Argument Al- Quran is word God deep QS. Al- Baqarah (2):283

Meaning: "And if you are on a journey (transact without cash), and you do not have any one writer, then should there be "The goods that are held as collateral." (QS. Al-Baqarah (2):283).

The verse above explains that Allah SWT commands a person who makes a transaction with another person and at that time there was no scribe so that he had to give goods as collateral (pawn) to the person who gave the debt so that he could feel calm about releasing his debt.

A system is a network of interrelated procedures, gathered together to perform an activity or complete a specific goal. A procedure is a sequence of written operations and usually involves several people in one or more departments that are applied, to ensure uniform handling of business transactions that occur. The correct sequence of stages is what, who, when, and how.

A good system must have the right goals and objectives because this will be very decisive in defining the input needed by the system and also the output produced. The system is also a collection of elements that are interrelated and work together to achieve the desired goals.

Research methods

This study uses a qualitative approach. According to Bogdan and Taylor, qualitative research methods are steps to conduct interviews to obtain descriptive data in the form of written or untranslated quotes from other people and potential subjects. The type of descriptive research was chosen by the author in this study, where Bogdan and Biklen state that descriptive data is the most important part of qualitative research.

Researchers went directly to the field to obtain concrete data on the problems to be studied at Bank Syariah Indonesia Lumajang S. Parman Branch Office. Data obtained from the field, namely, includes data collection from literature studies, studies or others as well as recordings, both oral and written. which is used as a source to strengthen research.

Discussion

After finding the data that the researcher expected, the researcher provided an explanation according to the analysis chosen, namely qualitative descriptive analysis, the researcher obtained data through the results of interviews, observations and documentation conducted at BSI KCP Lumajang S. Parman related to the *mu'nah payment system* in gold pawn financing. The data obtained by the researcher will be presented and analyzed by the researcher in accordance with the existing data, which refers to several problem formulations above. The results of the analysis researcher about: "*Mu'nah Payment System In Gold Pawn Financing at Bank Syariah Indonesia Lumajang S. Parman Branch Office.*"

1. Gold Pawn Financing Mechanism at Bank Syariah Indonesia Lumajang S. Parman Branch Office

Gold pawn financing is a financing product aimed at people who need solutions for business capital needs, education costs, and urgent financial needs. And other with method installments, in accordance with The purpose of financing by Kasmir is generally to help customer businesses that require funds such as working capital or funds for investment.

Gold pawn financing uses sharia principles with *qardh contracts* in the framework of *rahn and ijarah contracts*. As regulated by DSN-MUI fatwa number 26 of 2002 concerning gold *rahn*.

The advantages of this product are high gold appraisal value, low cost, gold is stored safely, convenient service and automatic extension when due. The gold pawn financing process is as follows:

- a. Customers come to BSI KCP Lumajang S. Parman to explain their need to apply for gold pawn financing;
- b. Then the customer will be directed to the gold pawn officer (*Pawning Sales Officer*);
- c. The officer will introduce himself and explain the mechanism. and the advantages of pawning gold at BSI, as well as carry out appraisals on jewelry or gold bars brought by customers;
- d. After going through the process above and the customer understands what the officer has explained, the prospective customer must fill out the gold pawn financing application form provided by BSI KCP Lumajang S. Parman.

The terms and conditions that customers must pay attention to when applying for gold pawn financing are:

- a. Financing start from 500 thousand;
- b. Guarantee gold in the form of jewellery or gold floor ;
- c. Card Sign Resident (ID card)

Principle giving financing pawn gold consists of from four points that is:

- 1) Character
It is an identification of the customer where the nature and character of the customer are analyzed directly by the bank. This is related to the customer's personality, which can be seen from family background, education, work, speaking style, gestures and social environment.
- 2) Capacity
The capabilities possessed by customers are identified by the bank by analyzing their ability to survive and develop their business, their skills and productivity at work and can be seen from their respective contributions according to their work. Good yesterday, today And time Which will come, so that the installments for the gold pawn financing that will be carried out can be fulfilled.

- 3) **Guarantee**
Collateral is jewelry or gold bars given by customers as collateral to Islamic banks until the installment period is complete.
- 4) **Sharia**
This one is applied to see whether the business field of the prospective financing customer is in accordance with the type of financing based on sharia principles or not.

Distribution risk in financing pawn gold is risk related to goods and risks related to payment. While the objects in gold pawn financing are jewelry or gold bars.

2. Mu'nah System in Gold Pawn Financing at Bank Syariah Indonesia, Lumajang S. Parman Branch Office

Mu'nah is the maintenance cost of collateral in the form of jewelry or gold bars. The bank is obliged to maintain the collateral of the customer as the financing holder as long as the collateral is in the hands of the collateral holder, then its position is only a mandate that is entrusted. Efforts to maintain the safety of goods guarantee the can held agreement maintenance. *Murtahin* may not hand it over or entrust it to anyone else.

According to Ismail's theory, *mu'nah* is defined as the amount of costs set for the maintenance of collateral to ward off the rates imposed by sharia law.

Regarding the maintenance costs of pawned goods, scholars agree that the maintenance costs are actually the responsibility of the pawnbroker. *Murtahin* have right For withhold *marhun* until all obligations *rahin* paid off.

The calculation of *mu'nah* is obtained from the estimated results \times % rate \times time period. With the percentage of the rate that has been determined by the center, it is automatically systematized on the gold pawn officer's computer. While the assessment/estimation is the stage of calculating (determining) the nominal financing obtained from estimate \times 80%. This done before *mu'nah* calculation.

For discount calculations, the system automatically adjusts the nominal financing taken by the customer. Based on the results of an interview with a former Pawning Sales Officer, the gold pawn officer does not have the authority to determine the percentage the discount that obtained customers. Customers who get Discount is a customer who takes financing below the specified nominal financing.

Conclusion

Based on research that has been conducted regarding payment systems *mu'nah* in financing pawn gold in Bank Syariah Indonesia Lumajang S. Parman Branch Office can be concluded as follows:

1. The gold pawn financing mechanism at BSI KCP Lumajang S. Parman has a very easy process with simple terms and conditions, no interest is charged, financing does not contain *gharar* and is based on sharia law.

2. *mu'nah* payment system in gold pawn financing involves collateral in the form of jewelry or gold bars which are held by BSI and whose security and safety are maintained by charging *mu'nah fees* (fees). maintenance) which not quite enough by the customer. The customer who take financing under mark the estimate that Already determined to get discount *mu'nah* . Determination discount cost *mu'nah* Already automatically systematized when the officer inputs the nominal financing taken by the customer.

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