

## Motorcycle Financing Transactions at PT Bank Sumut Syariah Panyabungan Sub-Branch: Islamic Law Perspective

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### Abstract

*The main principle of islamic life is monotheism of Allah, namely an awareness that human life is a mandate from Allah. The word muamalat is the only word that literally means "doing each other" or reciprocity. Muamalah is etymologically the same and meaningful with almufa'alah, namely doing each other. The research objective is to analyze motorcycle financing transactions at PT Bank Sumut Syariah Panyabungan Sub-Branch as islamic law perspective. This research includes field research. The method used in this research is qualitative method. Sources of data in this study are primary and secondary data. The writing method uses the inductive method. The results showed that motorcycle financing transactions at PT Bank Sumut Syariah Panyabungan Sub-Branch based on a murabahah contract, the profit is immediately known. The benefits of murabaha are immediately known at the beginning when the murabaha transaction is agreed upon. Customers are given convenience in paying off motorcycle financing, so that customers feel lucky. Motorcycle financing transactions at PT Bank Sumut Syariah Panyabungan Sub-Branch is in accordance with islamic law, because this murabahah contract is a sale and purchase agreement of sharia goods, meaning that it is in accordance with islamic law. The profits obtained are not based on usury, but a profit-sharing system between the customer and the bank.*

### Keywords

motorcycle; financing; islamic law



### I. Introduction

The main principle of islamic life is monotheism of Allah, namely an awareness that human life is a mandate from Allah. The word muamalat is the only word that literally means "doing each other" or reciprocity. Muamalah is etymologically the same and meaningful with almufa'alah, namely doing each other. This word describes an activity carried out by a person with another person or several people meeting their respective needs (Ghazaly et al., 2010).

There are many ways to provide assistance to people in need, including providing financing, one of which is motorbike financing, it can be seen that almost every household already has a motorized vehicle to support their mobility because it is no longer possible if they still walk to go to somewhere. The desire to own a motorized vehicle is a natural thing, although sometimes there are still many people who do not have sufficient finances to buy it, the increasing mobility of people in the current modern era makes the need for vehicles, especially two-wheelers also experience an increase in purchases, but the need for these purchases is not accompanied by with the improvement of the community's economy. The economic condition of the population is a condition that describes human life that has economic score (Shah et al, 2020).

Many finance companies that provide various goods for the community have become a solution that really helps the community to get what they want. One of the financing provided is the procurement of motorcycles, types of cars and motorcycles. The existence of this financing makes it easier for the community to obtain their needs by facilitating the provision of funds for various types of financing transactions in cash or credit.

PT Bank Sumut Syariah is one of the companies that has a fairly large role in the economy whose main function is as a mediator between people who lack funds and has the aim of improving the level of the economy. To carry out its operational activities, the Bank must of course be supported by sufficient funds. The more funds a bank has, the more likely it is that the bank can carry out its functions properly. One of the products distributed by PT Bank Sumut Syariah is motorcycle financing. Motorcycle financing at PT Bank Sumut Syariah is a financing that is engaged in motorcycle financing to customers.

PT Bank Sumut Syariah Panyabungan Sub-Branch has motorcycle financing products, however this motorbike financing does not apply to all people who want motorbikes except for civil servants. Where Motorcycle financing at PT Bank Sumut Syariah Panyabungan Sub-Branch does not use down payments for customers who want motorbikes but civil servant customers simply use a work letter as collateral for motorbike financing which will be credited to the bank.

According to bank employees' statements at the time of interview, there are several options for payment terms given by the Bank to customers, starting from 12, 24, 36, 48, and 60 months. The requirements for motorcycle financing at PT Bank Sumut Syariah are photocopy of identity card, photocopy of marriage book, photocopy of hajj savings book, photocopy of employee salary list, photocopy of electrical employee card, photocopy of decision letter for the appointment of civil servants, photocopy of last decision letter, and main number taxpayers that the customer must provide to the bank as a requirement for motorcycle financing, then when the financing transaction takes place, the bank automatically deducts the salary of civil servants every month from the guarantee of the decision letter owned by the customer for motorcycle installments taken by nasa sump.

In financing the motorcycle, the bank uses a murabahah contract. The murabahah contract is a goods financing contract carried out by islamic financial institutions in helping the community to obtain goods by financing the purchase of goods by stating the cost of goods and the profits that have been agreed between the two parties (Karim, 2011).

As Allah says in the Qur'an:

يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَأْكُلُوا أَمْوَالَكُم بَيْنَكُم بِالْبَاطِلِ إِلَّا أَنْ تَكُونَ تِجَارَةً عَنْ تَرَاضٍ مِّنْكُمْ

Meaning: "Those who believe, do not eat each other's wealth in a wrong way, except in business that loves one another." (Q.S. An-nisa':29).

The Fatwa of the National Sharia Council No:04/DSN-MUI/IV/2000 states that a murabahah agreement is a contract for the sale and purchase of goods, goods are goods that are not prohibited by Islamic law, and banks are financial institutions other than banks.

Based on the initial observations, the author explains that the financing company for the islamic bank of North Sumatra, the Panyabungan Sub-Branch, uses the murabaha system in carrying out buying and selling motorized vehicles. Which provides an opportunity for customers to take motorbikes on credit, but the opportunities provided only apply to civil servant customers by using a guarantee of a civil servant decree and other requirements. Customers also do not get the opportunity to offer prices that should be different from the credit prices on motorized vehicle registrations.

As for the sale and purchase transaction, there are pillars that must be fulfilled, one of which is the existence of the object of goods being traded at the time the contract takes place. But in buying and selling transactions at PT Bank Sumut Syariah there are no objects that are traded but only use leaflets that show the brand, type and price of the goods being traded.

The research objective is to analyze motorcycle financing transactions at PT Bank Sumut Syariah Panyabungan Sub-Branch as Islamic law perspective.

## **II. Research Method**

This research includes field research. Field research is research carried out in the field or in the community which means that data is taken from the field or community (Pandia et al., 2018; Pandiangan et al., 2018).

The method used in this research is qualitative method. Qualitative methods are research procedures that produce descriptive data in the form of written or written words from people and observed behavior (Asyraini et al., 2022; Octiva et al., 2021).

Sources of data in this study are primary and secondary data. Primary data is data obtained directly from the source, either through interviews, observations or reports in the form of unofficial documents which are then processed by researchers (Pandiangan, 2015; Pandiangan, 2022). Secondary data is data obtained from indirect sources which are usually in the form of documentation data and official archives. Secondary data obtained by researchers from books that discuss topics that are directly or indirectly related to the title and subject under study (Octiva, 2018; Pandiangan, 2018; Pandiangan et al., 2021).

The writing method uses the inductive method. The inductive method is a method that studies a specific phenomenon to get the rules that apply in the field that are more general about the phenomenon under investigation. This inductive method is more able to find plural facts as contained in the data (Octiva et al., 2018; Pandiangan et al., 2022; Tobing et al., 2018).

## **III. Results and Discussion**

### **3.1 Motorcycle Financing Transactions at PT Bank Sumut Syariah Panyabungan Sub-Branch**

According to the Big Indonesian Dictionary, financing is related to financing costs in a narrow sense means financing by financial institutions. However, in the banking industry, finance is associated with businesses that are active or passive financial in nature provided by financial institutions to their customers, where these businesses are services, trade and industry to maximize the value of profits (Muhammad, 2000).

According to Law No. 20 of 2008, financing means that local governments, businesses and the public finance through banks, cooperatives and non-bank financial institutions to develop and strengthen small and medium-sized businesses.

According to the Minister of Cooperatives and SMEs Number 91 of 2004 concerning Guidelines for the Implementation of Cooperative Business Activities in the Field of Sharia Financial Services, financing raises funds for investment or capital cooperation between cooperatives. Activities to provide. Members, prospective members, other cooperatives or their members. After receiving it, to the cooperative in accordance with the contract relating to the payment of the amount of profit sharing from income or profits. Funding is required to return the capital received by the use of the activities or funds being funded (Sholihin, 2021).

Murabahah is a sale and purchase contract between the bank and the customer. Islamic banks buy goods needed by customers and then resell them to the customer concerned at the purchase price plus a profit margin agreed between the Islamic bank and the customer. An example of the application of murabahah at PT Bank Sumut Syariah involves motor vehicle financing products. In murabaha, the price and profit are agreed upon between the seller and the buyer. The types and quantities of goods are described in detail.

So, the price in the murabaha contract which is stated by the bank to the customer is the cost of goods and margins taken by the bank or called the selling price of the bank to the customer. The amount of the selling price informed by the bank to the customer must be very clear. Then the total selling price that must be paid by the customer to the bank at a fixed price or paid in installments.

Motorcycle Financing Practices at PT Bank Sumut Syariah Panyabungan Sub-Branch do motorcycle financing with a murabahah contract, where prospective customers come to the bank, and the bank provides a brochure flyer containing motorcycle brands along with vehicle prices and monthly installments as well as how much profit margin is taken by the bank and the profit has been agreed between the two parties.

Prospective customers who apply for financing at PT Bank Sumut Syariah must also be required to first open a savings account book at PT Bank Sumut Syariah which will provide financing. Opening an account book is a mandatory law because the installment payment process that will be carried out by prospective customers will go through their account. After all the requirements have been completed, the prospective customer will clearly state the specifications of the vehicle he wants. After the bank records the vehicle specifications desired by the customer. Then the bank will go looking for the motorcycle, the bank will pick up the motorcycle vehicle in the showroom in accordance with the specifications of the prospective customer where previously the customer has been notified by the bank of the selling price that will be offered to prospective customers where the bank must notify with clear and the profit margin that will be taken by the bank and which has also been recorded in the brochure provided by the bank to the customer. The bank will search for the motorcycle vehicle that the customer wants on a particular vehicle search. And the bank took the motorbike at one of the sorums in Aek Lapan which previously had a partnership with the bank. After the motorcycle vehicle that the customer wants is found, the bank will contact the prospective customer again and notify that the desired motorcycle has been found according to its specifications. Then prospective customers will come by themselves to pick up a motorbike at the Honda Sorum.

PT Bank Sumut Syariah Panyabungan Sub-Branch only accepts customers who are state civil servants because they have a civil servant decree, where the North Sumatra Islamic bank makes a civil servant decree as collateral for motorcycle financing taken by customers, so every month the parties the bank will immediately deduct the salaries of state civil servants who take motorbikes at PT Bank Sumut Syariah, so there is no delay in paying installments or interest penalties such as leasing Federal International Finance.

In accordance with the statement of Mr. Muhammad Luthfie Ananda Harahap as the Head of PT Bank Sumut Syariah, that the price and profit have been agreed upon between the seller and the buyer, so there is no doubt and regret in motorcycle financing.

“We as the bank provide brochures to customers who want to buy motorbikes, so in the brochures are written the type, price, and installments of the motorbike for the time the customer wants. In the brochure, it is written that every customer of the state civil apparatus in installments can choose the time they want. There are 12 months, 24 months, 36 months, 48 months, and 60 months. And there is an agreement between the customer

and the bank so that there is no doubt and regret at the time of the motorcycle financing transaction."

The same answer was also stated by Mrs. Deni as the Account Officer.

"Every customer of the state civil service is given a motorcycle financing brochure, both type, price, and monthly are included in the brochure, and customers do not need to come to the bank every month, because it has been deducted from the salaries of state civil servants every month. We apply this mechanism to make it easier for our customers to make financing. Then the customers also have to fulfill the requirements that we have set so that we can immediately provide the motorbikes they want to customers."

Based on the results of interviews from several bank employees, it can be shown that the motorcycle financing transaction mechanism is implemented after the customers receive the brochure and select the desired goods and the customer must also meet the conditions applicable in taking the motorcycle so that the desired item is immediately provided by the third party bank.

After conducting interviews with the bank, the author conducted direct interviews with several customers of state civil servants who said that financing at PT Bank Sumut Syariah Panyabungan Sub-Branched could benefit customers and the transactions made also made it easier for customers.

One of them, Mrs. Fatimah, a 38-year-old customer who took a Scoopy Frestis motorbike, said:

"Financing a motorbike at PT Bank Sumut Syariah is quite easy, because we are given the fastest or longest installment payment time to pay it off, I took a motorbike at PT Bank Sumut Syariah with installments paid every month for 48 months. So, we don't need to bother going to the bank to pay the installments because it has been deducted from our civil servant decree, and there is no late payment system in financing this motorbike because every month it has been deducted from my civil servant decree like that. Now that is one of the conveniences for me compared to us taking a motorcycle to the lessing Federal International Finance which is complicated and flowery."

Similar to Mrs. Rahma, who is 42 years old, she said that motorcycle financing at PT Bank Sumut Syariah was easy. As stated in the interview, Ibu Rahma said that:

"For me personally, motorcycle financing at PT Bank Sumut Syariah is good, because customers are given convenience, so we don't worry about it." There is no fine, this is very helpful, an estimated Rp12,000 is paid per day. Their language is also polite enough that the profit they take is quite small, unlike conventional banks, and this does not include interest, but profit sharing. "Mother took a Beat brand motorcycle, the installment period is 48 months, it's not difficult for us to go to the bank every month, because the salary has been deducted by the bank from the decision letter that we submit to the bank."

On another customer, in an interview with Mr. Khairul Bahri, 41 years old, who also takes a train through PT Bank Sumut Syariah motorcycle financing, he believes that the motorcycle financing process is not complicated. When asked about the problems, he said that there were no problems in financing motorcycles at PT Bank Sumut Syariah.

"There are no perceived obstacles, it is very different from taking motorbikes on leasing. At PT Bank Sumut there is no interest, but there is profit sharing." In my opinion, financing transactions here are quite easy and really benefit customers. "I took the Vario I50 car, the credit period is 48 months. In this transaction there is also no term fine, because the salary that comes out has been directly deducted by the bank to pay off the motorbike that was taken."

Based on the results of interviews with several customers, it shows that motorcycle financing transactions at the North Sumatra Islamic bank, the savings sub-branch, are easy and not complicated. This is in accordance with the statements of customers who took motorbikes through PT Bank Sumut Syariah Panyabungan Sub-Branch.

The convenience that customers get in the form of the price of a motorbike being taken is not too expensive and does not use interest but is profit sharing or both benefit in the form of financing that makes it easier for customers, because by cutting salaries directly through savings, customers no longer have to be busy visiting the bank directly. to finance motorcycle installments. Likewise with the installments made according to the customer's wishes, wanting to take 12 months or 48 months monthly installments. And in financing transactions there is no interest like conventional financing institutions.

### 3.2 Motorcycle Financing Transactions at PT Bank Sumut Syariah Panyabungan Sub-Branch as Islamic Law Perspective

One of the products of PT Bank Sumut Syariah business unit that is channeling funds is:

#### Murabahah Financing

In islam itself regarding the issue of the murabahah contract it is permissible even though there is no evidence that discusses directly about the murabahah contract.

As for the argument which is the legal basis for buying and selling murabahah.

Firman Allah dalam Al-qur'an surat Al-Baqarah ayat 275.

لَّذِينَ يَأْكُلُونَ الرِّبَا لَا يَقُومُونَ إِلَّا كَمَا يَقُومُ الَّذِي يَتَخَبَّطُهُ الشَّيْطَانُ مِنَ الْمَسِّ  
ذَلِكَ بِأَنَّهُمْ قَالُوا إِنَّمَا الْبَيْعُ مِثْلُ الرِّبَا وَأَحَلَّ اللَّهُ الْبَيْعَ وَحَرَّمَ  
الرِّبَا فَمَنْ جَاءَهُمْ مِّنْ بَعْدِ ذَلِكَ فَسَأَلَ فَرَأَى لَهُمْ فِي سُلُوكِهِم مِّثْلَ الشَّيْطَانِ الْمَسِينِ

Meaning: "Those who eat usury cannot stand but like the establishment of a person who is possessed by a devil because he is crazy. That is because they say that buying and selling is the same as usury. Even though Allah has permitted buying and selling and forbids usury. Whoever gets a warning from his Lord, then he stops, then what has been obtained before belongs to him and his affairs (up to) to Allah. Whoever repeats it, then they are the inhabitants of hell, they will abide in it forever."

Murabahah is a sale and purchase contract for goods using a price agreed at the beginning where the bank explains the purchase price and the margin obtained by the bank. Banks may require the buyer to pay a down payment. The customer pays to the bank from the agreed price and the price or payment changes during the agreed period. This financing product can be used to meet work and investment business needs. But it can also be used to meet consumption needs

Murabahah in arabic is based on the term arribhu which means excess, additional or profit. Murabahah masdar form is based on the term rabaha-yurabihu-murabahat which means mutual benefit. Murabaha is defined as a sale and purchase when the seller discloses the purchase price of the goods.

The customer pays in installments within a certain period of time. Muraahah bil wakalah contract transactions in Islamic banks are where the customer wants to buy the goods he needs by asking the bank to buy the goods after the bank purchases the goods the customer wants from the supplier, then the bank resells the goods to the customer. Based on this concept, it can be seen that the murabahah bil wakalah contract consists of two contracts or contracts, namely the customer contract as the recipient of the goods to



purchase goods and the contract from the bank for the resale of goods using the murabahah method.

In murabahah financing, the object of murabahah must be certain and clearly owned by the bank. In practice, the purchase of the murabahah object is carried out by the customer as the buyer of the murabahah object. This means that the customer becomes a representative of the bank by using a wakalah contract, after the wakalah contract occurs, the customer as the buyer of the murabahah object acts on the bank's behalf to carry out the purchase transaction. After the murabahah object has in principle become the property of the bank, then the bank and the customer will enter into a second contract, namely the murabahah contract.

Based on the theory of financing in Islamic law, it is known that motorcycle financing transactions at PT Bank Sumut Panyabungan Sub-Branch have met the financing criteria in Islamic law as the theory previously written.

At PT Bank Sumut Panyabungan Sub-Branch, the bank uses a murābahah contract for buying and selling motorcycles, the murābahah contract is a product of the North Sumatra Islamic bank which is often used to carry out buying and selling motorcycle transactions that are needed by the community, especially the state civil apparatus who need motorbikes.

In Islam itself, the problem of buying and selling transactions with murabahah contracts is allowed even though there is no argument that discusses directly about the murabaha contract, as for the arguments that are the legal basis for buying and selling murabaha.

Fatwa DSN 04 DSNMUI IV 2000 Regarding the First General Rule of Murabahah Regarding Murabahah Financing Purchase Agreements at Islamic Commercial Banks Number 9 which reads, "If the bank wishes to represent a customer's purchase from a third party, the murabahah sale and purchase contract must be executed after the goods in principle become the property of the customer bank."

The PT Bank Sumut Syariah Panyabungan Sub-Branch in carrying out the financing mechanism for the sale and purchase of motorbikes has fulfilled the contracts contained in the pillars and conditions of murabaha financing, as explained during the interview by Mr. Muhammad Luthfie Ananda Harahap as a business leader explained that:

"We, from PT Bank Sumut Syariah Panyabungan Sub-Branch, will provide the desired motorcycle customer after the customer has made a contract payment between the bank and the customer who has met the requirements and agreements, then the bank will directly provide the desired motorcycle a few days after the event. contract, and we also emphasize that the taking of the motorbike only applies to state civil servants in order to facilitate financing and avoid arrears in payment of installments."

#### **IV. Conclusion**

The results showed that motorcycle financing transactions at PT Bank Sumut Syariah Panyabungan Sub-Branch based on a murabahah contract, the profit is immediately known. The benefits of murabaha are immediately known at the beginning when the murabaha transaction is agreed upon. Customers are given convenience in paying off motorcycle financing, so that customers feel lucky. Motorcycle financing transactions at PT Bank Sumut Syariah Panyabungan Sub-Branch is in accordance with islamic law, because this murabahah contract is a sale and purchase agreement of sharia goods, meaning that it is in accordance with islamic law. The profits obtained are not based on usury, but a profit-sharing system between the customer and the bank.

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