

ABSTRAK

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COMPARISONAL LAW ANALYSIS OF THE CONTENT OF HOUSE OWNERSHIP CREDIT AGREEMENT IN CONVENTIONAL BANK AND IN SHARIA BANK

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The economic sector is considered one of the most important sectors in running a nation. In Indonesia, there are 2 (two) economic systems that divide the Indonesian banking system into also 2 (two) systems, which are the conventional bank and sharia bank. There are a lot of products that are provided by banks, one of those is to provide house ownership credit. In order to proceed with a house ownership credit is to make an agreement between the bank (creditor) and the one who needs the credit (debtor). The agreement consists of the procedures of a house ownership credit. However, there are differences between the agreement in conventional banks, and the agreement in sharia banks. These differences aren't much known to people that leads to confusion and uncertainty for a prospective debtor in choosing which banking system that is more suitable for them. Based on this analysis, the most highlighted difference is how each bank has different kind of credit giving procedures. In conventional bank, credit is given by bank paying for the house of the buyer/debtor. In this case, the buyer/debtor doesn't have the responsibility to pay directly to the seller, but, the buyer/debtor's responsibility is to pay to the bank in installment that is stated in the credit agreement. In sharia bank, the bank gives the authority to the debtor to buy the house under the bank's name. After the bank has the proprietary of the house, the bank will sell the house to the debtor with a new price that is stated in the agreement. Although conventional bank and sharia bank have different procedures in credit giving, the two banking systems have the same legal protection for their debtors.

Keywords : House ownership credit, conventional bank, sharia bank.

References : 33 (1986-2021)