

# THESIS PAGE APPROVAL PRE FINAL EXAMINATION



(Drs. Agus Triyanta, M.H., M.A., Ph.D)

NIK: 934100105

مراللوالرحمن الرجم لية

THESIS PAGE APPROVAL

# LEGAL EFFECT OF SHARIA COMPLIANCE FULFILLMENT ON MUDHARABAH FINANCING PERFORMANCE THROUGH ASYMMETRY INFORMATION ON ISLAMIC BANKING

#### THESIS

This bachelor degree thesis has been approved by Language Advisor to be

submitted in front of Board of Examiners in an oral exam

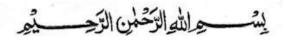
At the Date of :

Yogyakarta, 13 Desember 2019 Language Advisor

(Rina Desitarahmi, S.Pd., M. Hum)

am

#### PAGE OF APPROVAL



#### A BACHELOR DEGREE THESIS

#### LEGAL EFFECT OF SHARIA COMPLIANCE FULFILLMENT ON MUDHARABAH FINANCING PERFORMANCE THROUGH ASYMMETRY INFORMATION ON ISLAMIC BANKING

Defended Before the Board of Examiners on

09 January 2010

And Declared Acceptable

Yogyakarta, 10 January 2020

#### **Board of Examiner**

1. Chief of Examiner : Drs. Agus Triyanta, M.A., M.H., Ph.D.

2. Examiner I

3. Examiner II

: Dr. M. Syamsuddin, S.H., M.Hum

: H. Bagya Agung Prabowo, S.H., M. Hum., Ph.D .



Ph.D .....

# ORISINALITAS KARYA TULIS ILMIAH/TUGAS AKHIR MAHASISWA

#### FAKULTAS HUKUM UNIVERSITAS ISLAM INDONESIA

-110

Yang bertandatangan di bawah ini :

#### Nama : Sofia Yuniardi

NIM : 16410232

Adalah benar-benar mahasiswa Fakultes Hukum Universitas Islam Indonesia Yogyakarta yang telah melakukan penulisan Karya Tulis Ilmiah (Tugas Akhir) berupa skripsi dengan judul :

#### LEGAL EFFECT OF SHARIA ( OMPLIANCE FULFILLMENT ON MUDAHRABAH FINANCING PERFORMANCE THROUGH ASYMMETRY INFORMATION ON ISLAMIC BANKING

Karya ilmiah ini saya ajukan ke tim peng uji dalam Ujian Pendadaran yang diselenggarakan oleh Fakultas Hukum Universitas Islam Indonesia.

Sehubung dengan hal tersebut dengan ir i saya menyatakan:

1. Bahwa Karya Tulis Ilmiah int adalah benar-benar hasil karya saya sendiri yang dalam penyusunannya tunduk dan patul terhadap kaidah, etika, dan norma-norma penulisan sesuai dengan ketentuan yang berlaku.

2. Bahwa saya menjamin hasil ka ya ilmiah ini adalah benar-benar bebas dari unsur-unsur yang dapat dikategorikan sebagai perbu tan plagiarism.

3. Bahwa meskipun secara prinsij hak milik karya ilmiah ini adalah pada saya, namun untuk kepentingan yang bersifat akademi : dan pengembangannya, saya memberikan kewenangan kepada Perpustakaan Fakultas Hukum UII untuk mempergunakan karya ilmiah saya ini.

Selanjutnya berkaitan dengan hal di at is saya anggap menerima sanksi baik administratif, akademik ataupun pidana, jika saya terbukti secara kuat telah melakukan perbuatan yang menyimpang dari pernyataan tersebut. Saya juga akan bersikap kooperatif untuk hadir, menjawah, membuktikan dan melakukan pembelaan terhadap hak-hal saya serta menandatangani Berita Acara terkait yang menjadi hak dan kewajiban saya, di depan Majelis atau Tim FH UII yang ditunjuk oleh pimpinan fakultas, apabila tanda-tanda plagiat disinyalir terjadi pada karya ilmiah saya ini. Demikian surat pernyataan ini saya buat dengan sebenar-benarnya dalam kondisi sehat jasmani dan rohaai, dengan sadar serta tidak ada tekanan dalam bentuk apapun dan oleh siapapun

Dibuat di

: Yogyakarta

: 14 Desember 2019 Tanggal

Yang membuat pernyataan



SOFIA YUNIARDI

vi

## **CURRICULUM VITAE**

#### Biodata

- 1. Name : Sofia Yuniardi
- 2. Gender : Female
- 3. Current Address : Jalan Taman Siswa No. 150, Yogyakarta
- 4. Origin Address
- : Perbon Raya Blok Akasia 02, Tuban, Jawa Timur

: Tuban,

- 5. Place of Birth
- 6. Birth of Date
- 7. Phone
- 8. E-mail

- : 26 May 1998
- : 085865314019
- : sofiayuniardii@gmail.com

#### **Study Description**

- 1. Elementary School : SD Negeri Kebonsari 2 Tuban
- 2. Junior High School : SMP Negeri 3 Tuban
- 3. Senior High School : SMA Islamic Boarding School Ar-Rohmah Putri, Dau, Malang
- 4. University : International Program Faculty of Law
  - Universitas Islam Indonesia, Yogyakarta

#### **Organization and Committee**

 2016 : Staff of Publication, Decoration and Documentation Division Committee in Village Project 2016 by Social Department of Juridical Council of International Program, Universitas Islam Indonesia, Yogyakarta.
Staff of Consumption and Health Division Committee in Indies Interest 2.0 Visit Institution, Laboratory Legal Practice by Public Relations Department of Juridical Council of International Program, Universitas Islam Indonesia, Jakarta.
Staff of Publication, Decoration, and Documentation Division Committee of International Student Conference by Human Resources Development Department under the sphere of Juridical Council of International Program, Universitas Islam Indonesia.

2017 : Liaison Officer (LO) in International Program Sport Festival 2017 by Juridical Council of International Program, Universitas Islam Indonesia, Yogyakarta.

Head of Publication, Decoration, and Documentation Division Committee of Village Project by Social Department under the sphere of Juridical Council of International Program, Universitas Islam Indonesia.

2018: **Treasure** of Get Together with the Faculty of Law International Program Family with *Panti Asuhan Aisiyah* by Social Department under the sphere of Juridical Council of International Program, Universitas Islam Indonesia.

> Head of Publication, Decoration, and Documentation Division Committee of Visit Institution by Public Relations Department under the sphere of Juridical Council of International Program, Universitas Islam Indonesia.

# S

#### Affiliation/Membership:

2016–2017 : **Member** of Human Resources Development in Juridical Council of International Program Period of 2016/2017, Universitas Islam Indonesia.

2017–2018 : **Member** of Social Department in Juridical Council of International Program Period of 2017/2018, Universitas Islam Indonesia.

#### Competence

- 1. English Competence (CEPT: 733)
- 2. Ms.Office (Ms. Word, Ms. Excel, and Ms. Power Point)

### ΜΟΤΤΟ

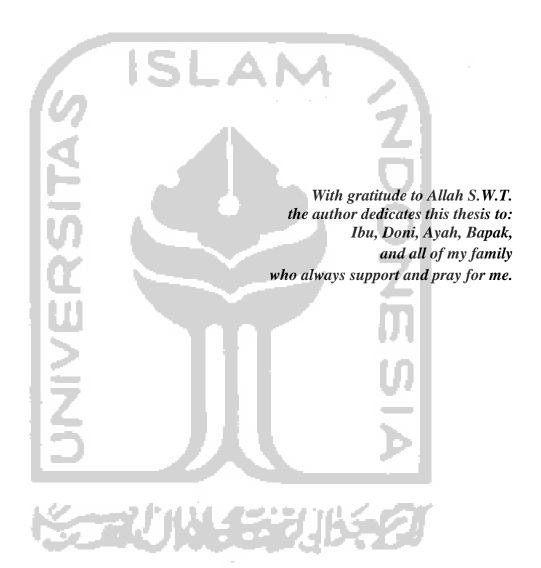
"Young man, I will teach you some words. Be mindful of Allah and he will protect you. Be mindful of Allah and you will find him before you. If you ask, ask from Allah. If you seek help, seek help from Allah. Know that if the nations gathered together to benefit you, they will not benefit you unless Allah has decreed it for you. And if the nations gathered together to harm you, they will not harm you unless Allah has decreed it for you. The pens have been lifted and the pages have dried.

In another narration, the Prophet said:

Know that there is much good in being patient with what you detest, victory will come with patience, affliction will come with relief, and with hardship will come with ease."



# DEDICATION



#### ACKNOWLEDGMENT

#### Bismillahirrahmaanirahiim

#### Assalamualaikum Wr.Wb.

First of all, I want to thank to Allah S.W.T., who has given me all the love and mercy to me, so I can finish this Thesis with entitled "LEGAL EFFECT OF SHARIA COMPLIANCE FULFILLMENT ON *MUDHARABAH* FINANCING PERFORMANCE THROUGH ASYMMETRY INFORMATION ON ISLAMIC BANKING". Without His help and will, none of this will never happen.

I realize that this thesis is still far from perfect and there are still many short comings due to all my limitations, therefore, I hope for suggestion and criticisms that makes me better in the future.

This thesis will never finish without assistance and support from all of my families, lectures, and friends. All grateful and thanks also belongs to:

- 1. *Mr. Fathul Wahid, S.T., M.Sc., Ph. D* as the Rector of Universitas Islam Indonesia, for the permission to write this thesis.
- 2. *Mr. Dr. Abdul Jamil, S.H., M.H.* as the Dean of Faculty of Law of Universitas Islam Indonesia, for the permission to write this thesis.
- 3. *Mr. Dodik Nur Heryanto, S.H., M.H., LLM., Ph.D,* as the Secretary of International Program Faculty of Law Universitas Islam Indonesia, for the permission to write this thesis.
- 4. *Mrs. Dra. Sri Wartini, S.H., M. Hum., P.hD*, as my academic supervisor. Who's always be there to help her students towards their confusion and much more like IP Law 16's mother.
- 5. *Mr. Drs. Agus Triyanta, M.A., M.H., P. hD*, as my thesis supervisor, thank you for all the assistance and patient. Also become my role-model yet a lecturer who always include *deen* in every aspect of life.
- 6. *Ms. Rina Desitarahmi S.Pd., M. Hum* as my language advisor who helped me in language barrier and make my thesis as appropriate as it can be.
- 7. My Mom, *Daniek Yhunita S.H.*, *M.Kn* who always pray for my success and give me an everlasting support and love. Thank you for inspiring me to be independent yet strong woman. May Allah grant you *Jannah*.
- 8. *Muhammad Mubarak Al-Alaby*, an extrovert also my human diary. Thank you for help me to fight against my anxiety and always remind me to solve every problem with *sabr* and *shalah*.

- 9. IP Law School Fellas 2016, Elsha and Cencen a.k.a diatas rata-rata, Opin, Ici, Oscar, Siraj, Reff, Lof, Al, Hima, Gultom, Dana, Leli, Meilin, Hana, Nadia, Abi, Ucok, Thank you for all kindness, support, jokes, and all those bitter-sweet memories. Ma'akum Najah!
- 10. To all of parties that I can't mention one by one. Jazakumullahu khairan katsiran.

