

THE APPLICATION OF SHARIA PRINCIPLES IN THE NAMIRA

HOTEL SYARIAH YOGYAKARTA

UNDERGRADUATE THESIS



This Undergraduate Thesis is submitted as one of the requirements to obtain the
decree of Bachelor of Law at Faculty of Law
Universitas Muhammadiyah Yogyakarta

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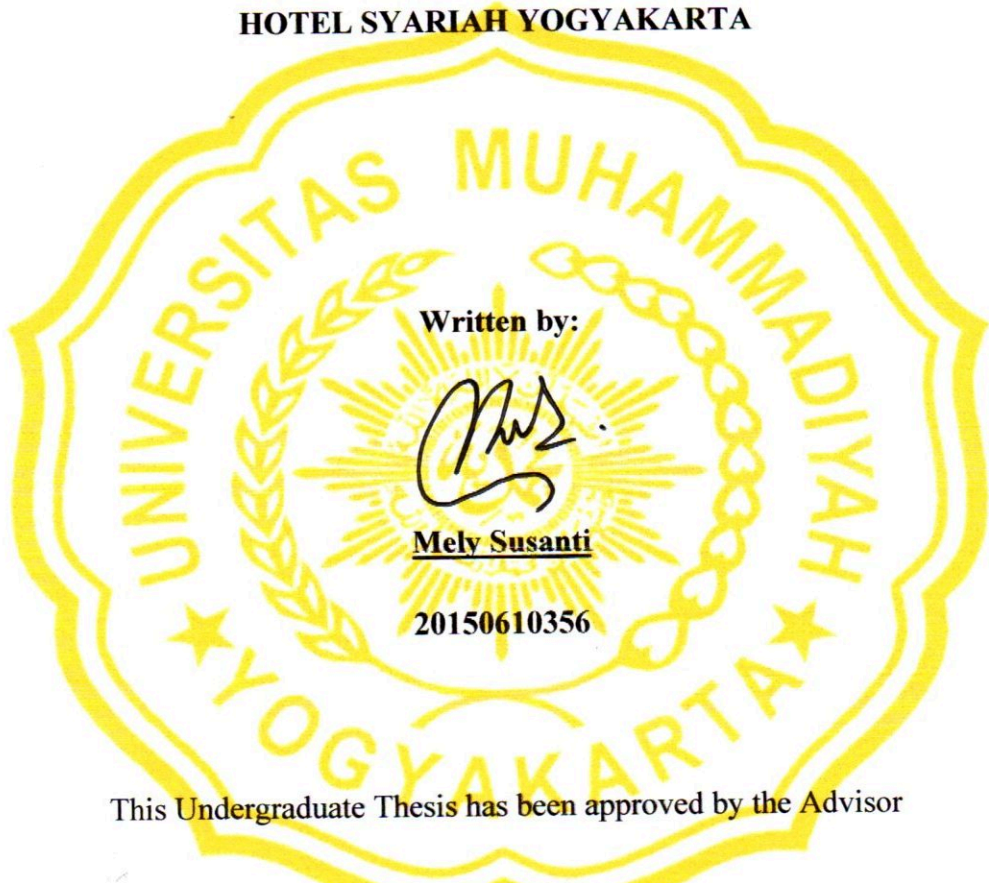
ABSTRACT

The majority of the Populations in Indonesia are Muslim. It makes the demand for halal tourism services keeps increasing and becomes a necessity among muslim community. Sharia-based hotel business becomes a new brand of halal tourism service. Sharia-based hotel integrates conventional hoteling business into Islamic principles (laws, values) its every product, service and management. This research was conducted to investigate the implementation of sharia principles in the products, services and the management of Namira Hotel Syariah Yogyakarta. In addition, this research also looked into the law and regulations of sharia-based hotel according to DSNMUI No. 108/DSN-MUI/X/2016. This empirical research was conducted in the form of legal research. The data both primary and secondary data were directly obtained from the field through interviews with hotel management, from documentation and references from various resources or media. The data were then analyzed by using descriptive qualitative method. The results of this research showed that sharia principles in sharia-based hotel business were the basis of this business that should be implemented in the management, services and products offered by the hotel. The implementation of Islamic laws was based on Al-Qur'an and Hadith. Namira Hotel Syariah Yogyakarta could not yet fulfill the legal-formal requirements of a sharia-based business since as the hotel has not yet received the halal certification from *Dewan Syari'ah Nasional-Majelis Ulama Indonesia (DSN-MUI)*.

Keywords: sharia-based hotel, sharia principles, product, service, management.

APPROVAL PAGE

**THE APPLICATION OF SHARIA PRINCIPLES IN THE NAMIRA
HOTEL SYARIAH YOGYAKARTA**



This Undergraduate Thesis has been approved by the Advisor

On Saturday, 09th March 2019

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This Undergraduate Thesis has been defended in front of the board of Examiners

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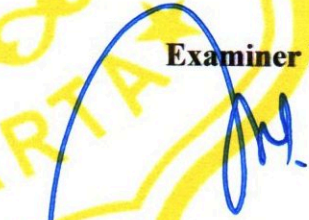
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DECLARATION PAGE

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

I hereby declare that the Undergraduate Thesis which is entitled “**THE APPLICATION OF SHARIA PRINCIPLES IN THE NAMIRA HOTEL SYARIAH YOGYAKARTA**” its content is truly the work of my own and I did not do plagiarism or quotation in ways that are inconsistent with the prevailing ethnic in the scientific community. On this statement, I am ready to bear the risk/any sanctions imposed to me in accordance with applicable regulations, if in the future found a breach of scientific ethnics, I am willing to accept the sanctions.

Written by

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Yogyakarta, March 09th, 2019




Mely Susanti

MOTTO

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

فَيَكُونُ كُنْ لَهُ يَقُولُ أَنْ شَيْئًا أَرَادَ إِذَا أَمْرُهُ إِنَّمَا

“Innama Amruhu Idza Arada Syaian An Yaqula Lahu Kun Fayakun”

*“But His command, when He intendeth a thing, is only that He saith unto it: Be!
and it is” (Q.S. YASIN: 8)*

“All our dreams can come true if we have the courage to pursue them”
Walt Disney

“Nothing great was ever achieved without enthusiasm”
Ralph Waldo Emerson

“Impossible is nothing”

DEDICATION

This Undergraduate Thesis dedicated to

My Lord, Allah SWT

Prophet Muhammad SAW

My beloved parents

Ayah Dasliun

Mama Rabiah

My lovely sisters

Dasliani, S.Sos.

Ns. Rabbi Ema, S.Kep.

FOREWORD

Alhamdulillah Walhamdulillah tsumma Alhamdulillah, thank you Allah SWT, The Most Merciful and Most Gracious who has given me His blessing and an opportunity to accomplish my Undergraduate Thesis as final project to fulfill the degree of Bachelor of Law entitled **THE APPLICATION OF SHARIA PRINCIPLES IN THE NAMIRA HOTEL SYARIAH YOGYAKARTA** at International Program for Law and Sharia, Fakultas Hukum, Universitas Muhammadiyah Yogyakarta.

Alhamdulillah, God's bless has helped me finish this thesis with all of my efforts and resources. However, perfection only belongs to Allah, and this thesis still suffers from imperfections. This thesis is researcher's fine present for Yogyakarta Muhammadiyah University where I have gained higher academic degree.

Gratitude is specially expressed to:

1. Ayah Dasliun and Mama Rabiah, my parents who have sincerely poured their love, motivation and continuous prayers and who have advised me to finally hold the tittle of Bachelor in Law.
2. Ibu Dr. Fadia Fitriyanti, S.H., M.Hum., M.Kn as thesis advisor whose motivation and advisory were the key to the completion of this thesis.
3. Bapak Akmal, M.Hum., M.Sc., Ph.D for the proof read of the thesis.

4. Bapak Agus Sugindro, S.E as the manager of Namira Sharia Hotel Yogyakarta for giving me valuable knowledge during the research.
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The researcher completely awares about the weaknesses of this research due to limited capability in collecting, processing and presenting the research data. Apology is expressed by the researcher regarding those imperfections. Supportive inputs, criticism and suggestions are welcome for better development of this thesis.

At last but not least, this thesis is expected to give positive benefits for the university, religion, nation and the country. Amin

Mely Susanti

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Indonesian Law Number 3 of 2006 on Amendments to Law Number 7 of 1989 concerning Religious Courts.

Fatwa of National Sharia Council-Indonesia Ulema Council (DSN-MUI) Number 108/DSN-MUI/X/2016.

The Minister of Tourism and Creative Economy Regulation of the Republic of Indonesia No. 2 of 2014 Concerning Guidelines for Implementing Sharia Hotel Business.

The Minister of Tourism Regulation of the Republic Indonesia No. 11 of 2016 Concerning “Revocation of the Regulation of the Minister of Tourism and Creative Economy No. 2 of 2014 Concerning “Guidelines for Implementing Sharia Hotel Business.

The Minister Tourism of Regulation No. 1 of 2016 about “ The Implementation of Tourism Business Certification.”

The Minister of Tourism Regulation of the Republic Indonesia No. 12 of 2016 Concerning Amendment to the Ministerial Regulation Number 1 of 2016 on the Implementation of Tourism Business Certification.

LIST OF ABBREVIATION

DSN	Dewan Syariah Nasional
MUI	Majelis Ulama Indonesia
LPPOM	Lembaga Pengkajian Pangan Obat-obatan dan Kosmetika
LSU	Lembaga Sertifikasi Usaha
LKS	Lembaga Keuangan Syariah
LBS	Lembaga Binis Syariah
LPS	Lembaga Perekonomian Syariah
KTP	Kartu Tanda Penduduk
DPS	Dewan Pengawas Syariah