

## ABSTRACT

Lina Maulidiana /No. Pokok : 15730109, Building Retail Business Franchise-Based Sharia Law Based On Islamic Economic in Indonesia. Under the guidance of Prof. Dr. H. Faisal Santiago, S.H, M.M., as Promoter and Dr. R.A. Evita Isretno Israhadi, S.H., M.H., M.Si. as a promoter of Ko, the number of 253 pages, literature as much as 87 books, 7 Regulations, 9 journals, interviews and 7 interned

Business activities, especially in the field of trade in Indonesia, not all of them have legislation as a positive law, one of which is sharia franchise. Problem formulation: 1. Why are there no legal regulations governing sharia franchises so that sharia business actors in Indonesia have not yet implemented a Sharia franchise retail business? and 2. What is the role of the government in developing and designing the regulation of the Sharia-based franchise retail business in Indonesia?

The research method used is an exploratory social legal review with techniques of collecting data through interviews with respondents namely UMMAR Islamic businessmen, red camels, 212 Mart, PT Hidro Perdana Retailindo and Kita Mart. Those data are analyzed using qualitative analysis methods.

The results of this study conclude that: 1. The absence of legal regulations governing sharia franchises so that sharia business actors in Indonesia have not implemented a Sharia franchise retail business because franchise practices with franchise terminology do not yet have a fatwa. Form of contract Sharia business actors in the form of syirkah, sharia business people argue that in managing the franchise it seems difficult, costly and time consuming and worried about being exposed to riba and the occurrence of gharar transactions means doubtful transactions, deception or actions aimed at harming others. 2. The participation of the government in developing and designing the regulation of retail business for sharia-based franchises in Indonesia with no differentiation from conventional franchise businesses, the government uses Integrated One-Stop services. The role of the Government as a regulator provides a basic reference for sharia business actors and the government as an instrument to regulate all sharia business activities and conventional business activities. The government in building a franchise business in Indonesia today, still refers to Government Regulation Number 42 of 2007 concerning Franchising and Permenrindag Number 53 / M-Dag / Per / 8/2012 concerning the Implementation of Franchises in conjunction with Minister of Trade Regulation Number 57 / M-Dag / Per / 9/2014. Business people are required to conduct licensing bureaucracies and the government is obliged to carry out guidance and supervision carried out by a Monitoring Team formed by the Director General of Domestic Trade.

Suggestion: 1. The government needs to socialize the Sharia franchise retail business to sharia business people in Indonesia 2. The government needs to bridge so that through state authority to urge the National Sharia Council to make a fatwa on sharia franchises. National Sharia Council Should be active in conducting a conceptual and operational search of sharia franchise business activities and pouring it into Fatwa

Keywords: Business Retail Franchise Sharia based on sharia economic law