

Legal Issues and Legal Documentation for Islamic Banking Products and Sukuk

 Jakarta, 19th & 20th February 2018

Pelatihan ini didesain untuk peserta dari Indonesia yang telah memiliki pengetahuan dasar maupun menengah terkait dengan materi ini. Di akhir pelatihan, peserta diharapkan dapat memahami permasalahan syariah pada dokumen legal (hukum) pada produk perbankan syariah dan memahami dengan baik dokumentasi hukum yang efektif.

19th February 2018 – Hari 1

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| 9.00am – 9.10am | Sambutan & Pembukaan |
| 9.10am – 10.30am | <p>Sesi 1: Prinsip-prinsip Syariah pada Produk Perbankan Syariah</p> <p>Pada sesi ini akan dibahas prinsip-prinsip syariah yang diterapkan pada produk-produk perbankan syariah;</p> <ul style="list-style-type: none"> • Syariah sebagai landasan utama produk-produk perbankan syariah • Kerangka kepatuhan Syariah • Larangan akan <i>Riba</i>, <i>Gharar</i>, dan <i>Maysir</i> • Fitur-fitur utama dari produk-produk perbankan syariah • Pedoman Syariah dalam menyusun produk-produk perbankan syariah di Indonesia <p><i>Pembicara: Dr. Mohammad Mahbubi Ali</i></p> |
| 10.30am – 11.00am | Coffee break |
| 11.00am – 12.00pm | <p>Sesi 2: Dokumentasi Hukum untuk Wadiah</p> <p>Pada sesi ini akan dibahas aspek hukum dan dokumentasi produk deposito dalam bentuk <i>Wadiah</i>;</p> <ul style="list-style-type: none"> • Akad Syariah yang terkait • Contoh-contoh Klausul <i>Wadiah</i> • Permasalahan-permasalahan dalam dokumen-dokumen produk <i>Wadiah</i> <p><i>Pembicara: En. Madzlan Hussain</i></p> |
| 12.00pm – 2.00pm | Makan Siang dan Shalat Zuhur |

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| 2.00pm – 3.00pm | <p>Sesi 3: Dokumentasi Hukum untuk <i>Mudharabah</i></p> <p>Pada sesi ini akan dibahas aspek hukum dan dokumentasi produk deposito dalam bentuk <i>Mudharabah</i>;</p> <ul style="list-style-type: none"> • Akad Syariah yang terkait • Contoh-contoh Klausul <i>Mudharabah</i> • Permasalahan-permasalahan dalam dokumen-dokumen produk <i>Mudharabah</i> <p><i>Pembicara: En. Madzlan Hussain</i></p> |
| 3.00pm – 3.30pm | Coffee Break |
| 3.30pm – 4.30pm | <p>Sesi 4: Dokumentasi Hukum untuk <i>Musyarakah Mutanaqisah</i></p> <p>Pada sesi ini akan dibahas aspek hukum dan dokumentasi dari produk pembiayaan berupa <i>Musyarakah Mutanaqisah</i>;</p> <ul style="list-style-type: none"> • Struktur dokumen pada produk <i>Musyarakah Mutanaqisah</i> • Dokumen kebijakan dan peraturan OJK yang berkenaan dengan dokumentasi hukum produk <i>Musyarakah</i> • Proses eksekusi dokumentasi hukum produk <i>Musyarakah Mutanaqisah</i> • Risiko serta permasalahan Syariah pada produk <i>Musyarakah Mutanaqisah</i> <p><i>Pembicara: En. Madzlan Hussain</i></p> |
| 4.30pm – 5.30pm | <p>Sesi 5: Dokumentasi Hukum untuk <i>Ijarah</i></p> <p>Pada sesi ini akan dibahas aspek hukum dan dokumentasi dari produk pembiayaan berupa <i>Ijarah</i>;</p> <ul style="list-style-type: none"> • Struktur dokumen pada produk <i>Ijarah</i> • Dokumen kebijakan dan peraturan OJK yang berkenaan dengan dokumentasi hukum produk <i>Ijarah</i> • Proses eksekusi dokumentasi hukum produk <i>Ijarah</i> • Risiko serta permasalahan Syariah pada produk pembiayaan <i>Ijarah</i> <p><i>Pembicara: En. Madzlan Hussain</i></p> |
| 5.30pm – 5.45pm | Evaluasi Harian |

Akhir Training Hari Pertama

20th February 2018 – Hari 2

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| 9.00am – 9.10am | Morning refreshments |
| 9.10am – 10.30am | <p>Sesi 1: Konsep, Perkembangan, dan <i>Outlook</i> Pasar Sukuk</p> <p>Pada sesi ini akan dibahas secara umum konsep Sukuk, perkembangan pasar Sukuk, serta outlook pasar Sukuk;</p> <ul style="list-style-type: none"> • Konsep Sukuk • Sukuk vs surat utang • Jenis-jenis dari Sukuk • Kronologi perkembangan pasar Sukuk • Tren pasar Sukuk secara global • Perkembangan pasar Sukuk di masa depan <p><i>Pembicara: Dr. Mohammad Mahbubi Ali</i></p> |

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| 10.30am – 11.00am | Coffee break |
| 11.00am – 12.00pm | <p>Sesi 2: Struktur dan Operasional pada Sukuk</p> <p>Sesi ini akan membahas proses strukturisasi dan operasional pada Sukuk;</p> <ul style="list-style-type: none"> • Prinsip-prinsip Syariah dalam strukturisasi Sukuk • Sukuk berbasis jual-beli: Sukuk <i>Murabahah</i> dan <i>Istisna'</i> • Sukuk berbasis sewa: Sukuk <i>Ijarah</i> • Sukuk berbasis ekuitas: Sukuk <i>Mudharabah</i> dan <i>Musyarakah</i> • Sukuk berbasis jasa: Sukuk <i>Wakalah</i> • Problematika Syariah pada Sukuk <p><i>Pembicara: Dr. Mohammad Mahbubi Ali</i></p> |
| 12.00pm – 2.00pm | Makan Siang dan Shalat Zuhur |
| 2.00pm – 2.45pm | <p>Sesi 3: Pentingnya Dokumentasi Hukum dalam Penerbitan Sukuk</p> <p>Sesi ini akan membahas aspek hukum dan dokumentasi dalam penerbitan Sukuk;</p> <ul style="list-style-type: none"> • Memahami kerangka hukum dan regulasi pada Sukuk • Mengelola dan memitigasi risiko pada Sukuk: memahami permasalahan hukum utama pada Sukuk <p><i>Pembicara: En. Madzlan Hussain</i></p> |
| 2.45pm – 3.45pm | <p>Sesi 4: Dokumentasi Hukum pada Sukuk berbasis Ekuitas – <i>Mudharabah</i> dan <i>Musyarakah</i></p> <p>Pada sesi ini akan dibahas aspek hukum dan dokumentasi untuk produk Sukuk berbasis <i>Mudharabah</i> dan <i>Musyarakah</i>;</p> <ul style="list-style-type: none"> • Struktur dokumen hukum pada Sukuk <i>Mudharabah</i> dan <i>Musyarakah</i> • Permasalahan hukum dan Syariah yang muncul dari struktur dan dokumentasi Sukuk <i>Mudharabah</i> dan <i>Musyarakah</i> <p><i>Pembicara: En. Madzlan Hussain</i></p> |
| 3.45pm – 4.15pm | Coffee Break |
| 4.15pm – 5.30pm | <p>Sesi 5: Dokumentasi Hukum untuk Sukuk berbasis Hutang – <i>Murabahah</i> dan <i>Istisna'</i></p> <p>Pada sesi ini akan dibahas aspek hukum dan dokumentasi untuk produk Sukuk berbasis <i>Murabahah</i> dan <i>Istisna'</i>;</p> <ul style="list-style-type: none"> • Struktur dokumen hukum pada Sukuk <i>Murabahah</i> dan <i>Istisna'</i> • Permasalahan hukum dan Syariah yang muncul dari struktur dan dokumentasi Sukuk <i>Murabahah</i> dan <i>Istisna'</i> <p><i>Pembicara: En. Madzlan Hussain</i></p> |
| 5.30pm – 5.45pm | Networking dan Penutup |

Akhir Training Hari Kedua

* Rundown pelatihan diatas dapat disesuaikan berdasarkan kebutuhan dan permintaan peserta saat pelatihan berlangsung.

Speaker Profile



Dr. Mohammad Mahbubi Ali

Director, ZICO Shariah Indonesia
mahbubi.ali@zishariah.com

Practice Areas

- Islamic Jurisprudence
- Islamic Banking
- Islamic Insurance
- Efficiency and Performance Measurement
- Shariah Non-compliance Risk

Languages

- English
- Arabic
- Indonesian

Experience

Mahbubi is a Shariah consultant at ZICO Shariah. He specializes in Islamic banking, Islamic insurance or takaful, Islamic law of transactions and has been actively involved in various advisory, training and consultancy services in the area of Shariah governance.

Mahbubi contributes extensively to Islamic finance through his regular writings in the Islamic Finance News (IFN), Business Islamica, General Council for Islamic Banks and Financial Institutions (CIBAFI) amongst other publications. He has also published a number of articles in international refereed journals and presented in various international conferences.

Mahbubi has been awarded as the Best Paper Presenter at Sharia Economics Conference in Germany in 2013 and was the full scholarship recipient at CIFP INCIEF Malaysia in 2009. He was also a runner up at National Islamic Economics Olympiad at TEMILNAS (National Scientist Forum) at University of Gadjah Mada Yogyakarta, Indonesia in 2008.

Prior to joining ZICO Shariah, Mahbubi was a research consultant at the International Shariah Research Academy for Islamic Finance (ISRA) in Malaysia since February 2015. Mahbubi also serves as a member of the Shariah Committee for Affin Islamic Bank, Malaysia. He was also a lecturer in Islamic Law of Contract at University of Kuala Lumpur (UniKL) and was an editor of various publications such as IJTihad magazine, Tazkia Post and Bulletin Istinbat.

Qualifications

- Ph.D. in Islamic Banking and Finance, Institute of Islamic Banking and Financing, International Islamic University Malaysia (IIUM).
- Chartered Islamic Finance Professional (CIFP) in Islamic Finance, International Centre for Education in Islamic Finance (INCEIF).
- Bachelor's Degree in Shariah and Finance, Islamic Business School Tazkia, Bogor (Indonesia).
- Islamic Finance Qualification (IFQ), Chartered Institute for Securities and Investment (CISI), United Kingdom.

Speaker Profile



Madzlan Mohamad Hussain

Partner, Zaid Ibrahim & Co
madzlan.hussain@zicolaw.com

Practice Areas

- Islamic Banking & Finance
- Financial Services Prudential & Regulatory Framework
- Capital Markets
- Corporate & Debt Restructurings

Languages

- English
- Malay
- Arabic
- Japanese

Experience

Madzlan is a Partner and Head of the firm's Islamic Financial Services Practice.

Madzlan advises on matters relating to Islamic financial services, as well as prudential and regulatory framework. In addition, he also advises clients on corporate exercises and compliance with securities regulation. His engagements include advising financial institutions in Malaysia on the legal and regulatory compliances for their Islamic finance operations; standardisation of Islamic finance documentation, structuring and designing Shariah compliant financial products, Islamic corporate financing facilities, and issuance of Islamic securities.

Madzlan is also well-acquainted with the Islamic Financial Services Board (IFSB) guiding principles and current developments in relation to the global Islamic financial services industry, having served the IFSB for six years between 2004 and 2010 before returning to the firm.

Professional, Committees and Related Affiliations

- Member – Board of Directors, YAPEIM Smart Venture Sdn Bhd
- Member – Integrity, Governance and Staffing Committee, Yayasan Pembangunan Ekonomi Islam Malaysia (YAPEIM), Diperbadankan
- Member – Special Task Force on Strengthening Good Governance in Agencies under the purview of the Islamic Development Department of Malaysia (JAKIM), Prime Minister Department
- Member – Selection Committee established under Part IVA of the Legal Profession Act 1976 (to assess application for an International Partnership Licence), Malaysian Bar Council

Qualifications

- Arbitrator (Islamic Finance), Kuala Lumpur Regional Centre for Arbitration (since 2010)
- Associate, Chartered Islamic Finance Professional (CIFP), International Centre for Education in Islamic Finance – completed Part 1 (2009)
- Master of Science in Islamic Economics, Banking and Finance, Loughborough University, United Kingdom (2002)
- Advocate & Solicitor of the High Court of Malaya (admitted 1999)
- Bachelor of Laws (Honours), International Islamic University, Malaysia (1998)