

CHAPTER V

CONCLUSION AND SUGGESTION

A. CONCLUSION

Based on the result on the study it can be conclude that

1. The Namira Hotel in Pekalongan has implemented Sharia principle in criteria sharia for Sharia based Hotel business guideliness as stipulated Fatwa National Sharia Council No.108/DSN-MUI/2016 concerning Guideliness on Implementation Tourism based on Sahria principles. which regulates special condition in making sharia based hotel. According to National Sharia Council – Indonesia Ulama Council why do sharia based hotel emerge for two reasons, namley :
 - a. Avoid polytheism, immorality, obedience, *tabdzir/israf*, and *munkar*
 - b. Creating benefit and benefit both materially and spiritually.

In the guidelines for Tourism management based on the Sharia Principle regulated by National Sharia Council – Indonesia Ulama Council. It is also regulated regarding of Sharia contract. The name is *ijarah* contract. An *ijarah* contract is a contract for transfer for use right (benefit) to an item or service in a certain time with payment or wages.

Hotel are legal entities in the form of Limited Liability Company. However, in reality the Namira Hotel Pekalongan does not have a Sharia Supervisory Board designated by the Indonesia Ulama Council. Whereas in the regulation No 40 of 2007 concerning Limited Liability Company, it was stated that the company that runs business activities based on Sharia principles must have a Sharia Supervisory Board. but in the fact the Hotel Namira in Pekalongan does not have a Sharia Supervisory Board as stipulated in regulation No 40 of 2007 concerning Limited Liability Company.

The problem that arises in the establishment of Sharia Hotel and Halal Tourism Business guideliness licensing to administer Halal Tourism Business is carried out by the National Sharia Council – Indonesia Ulama Council but hotel claim that Sharia has not yet taken care of the licensing, while the Halal Tourism Business guideliness mentioned in the regulation of Tourism Minister No 1 of 2016 will be regulated in the separate Ministerial regulation, the Ministers regulation governing it.

1. For the supervision in Sharia business according to The Supervision of Sharia Hotel Business According To The Law No. 40 Of 2007 Article 109 Limited Liability Company. there is must have Sharia Supervisory Board for doing supervision. But in the hotel there is no supervision who recommended by Indonesia Ulama Council. Supervision is carried out by Internal management in the Hotel.

B. SUGGESTION

1. In making Sharia based hotel, the government is able to provide facilities to obtain a license for Sharia hotel and for the regulation itself is expected to immediately make regulations regarding halal Tourism guidelines. Permit processing which is considered difficult by the hotel even though the hotel has fulfilled all the elements required as a Sharia hotel. Making a hotel permit based on Sharia is expected to be easier so that all hotel that have not been licensed by Sharia in order to immediately make these licenses. If this is made easier then can help the owner in making a Sharia based permit, which has an impact on the comfort of the owner guarantee comfort and legal protection because the hotel has been legalized. Immediately conduct certification and form a Sharia Supervisory Board. And made a Ministerial regulation Halal Tourism Enterprises and Halal Tourism Business guidelines. As mentioned in Regulation of the Minister Tourism of the Republic of Indonesia No. 1 of 2016.
2. The Namira Sharia Hotel in Pekalongan are required as soon as the board that forms Sharia referred to, by the Indonesia Ulama Council because of its obligations for entities in the form of Islamic based limited liability company which must have a Sharia Supervisory Board.