

## Halal certification mechanism for Sharia hotels in the development of Muslim-friendly tourism under Job Creation Law

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### ABSTRAK

Perkembangan industri halal global semakin meningkat dan mendapat respon positif dari berbagai pihak. Indonesia sebagai negara yang telah memiliki budaya yang lekat dengan gaya hidup halal berpeluang untuk mengembangkan sektor unggulannya, yaitu Pariwisata Ramah Wisatawan Muslim. Oleh karena itu, dibutuhkan perhatian dan partisipasi dari para pemangku kepentingan di sektor pariwisata seperti pemerintah dan pelaku usaha di industri pariwisata. Dalam rangka mendorong terwujudnya peningkatan ekonomi melalui pariwisata ramah muslim, maka diperlukan instrumen sertifikasi halal di beberapa unit, salah satunya adalah restoran di hotel syariah. Tujuan dari penelitian ini adalah untuk menganalisis mekanisme sertifikasi halal khususnya pada unit restoran hotel syariah berdasarkan Undang-Undang Cipta Kerja. Untuk membahas topik tersebut, penelitian ini menggunakan metode yuridis normatif, dengan menggunakan data sekunder, yang terdiri dari bahan hukum primer dan bahan hukum sekunder. Penelitian ini menemukan bahwa terdapat perubahan mendasar terkait mekanisme sertifikasi halal bagi pelaku usaha, termasuk hotel syariah berdasarkan UU Cipta Kerja. Perubahan yang dimaksud adalah pada mekanisme dan alur penerbitan sertifikasi halal. Sebelum adanya UU Cipta Kerja, sertifikasi halal diproses dalam jangka waktu yang cukup lama dan pemohon dikenakan biaya dalam prosesnya. Sementara itu, di bawah UU Cipta Kerja, proses penerbitan sertifikasi halal dipercepat dan layanannya diperluas. Hal ini dapat mendorong pengembangan pariwisata ramah Muslim di Indonesia.

Kata Kunci: Sertifikasi Halal, Hotel Syariah, Pariwisata Ramah Muslim, UU Cipta Kerja

### ABSTRACT

The development of the global halal industry is increasing and has received positive responses from various parties. Indonesia as a country that already has a culture that is attached to the halal lifestyle has the opportunity to develop its leading sector, namely Muslim-Friendly Tourism. Therefore, it requires attention and participation from stakeholders in the tourism sector such as the government and business actors in the tourism industry. In order to encourage the realization of economic improvement through Muslim-friendly tourism, halal certification instruments are needed in several units, one of which is a restaurant in a sharia hotel. The purpose of this study is to analyze the halal certification mechanism, especially in the Islamic hotel restaurant unit, based on the Job Creation Law. In order to discuss this topic, this

research uses normative juridical methods, utilizing secondary data, consisting of primary legal materials and secondary legal materials. This study found that there are fundamental changes related to the halal certification mechanism for business actors, including Islamic hotels based on the Job Creation Law. The changes referred to are in the mechanism and flow of issuing halal certification. Before the Job Creation Law, halal certification was processed over a long period of time and the applicant was charged a fee in the process. Meanwhile, under the Job Creation Law, the process of issuing halal certification is accelerated and services are expanded. This can encourage the development of Muslim-friendly tourism in Indonesia.

## I. INTRODUCTION

The condition of the halal industry is increasingly showing significant growth along with the increasing awareness of the Indonesian Muslim community towards a halal lifestyle. Halal awareness, which was initially only about halal food and drinks, has now spread to the tourism sector ([Bustamam & Suryani, 2021](#)). Over the past decade, the tourism sector has been the core national development economy ([Kementerian Pariwisata, 2019](#)). Indonesia is the largest archipelago, with a population of 88% Muslims. It allows Indonesia to develop Muslim-friendly tourism because Indonesian culture has a halal lifestyle DNA ([Djakfar, 2017](#)).

The leading sectors of the halal value chain, especially in the halal food and minimal sector and the Muslim-friendly tourism sector has become a significant player in increasing the number of visits and the largest expenditure of foreign tourists ([Kementerian Pariwisata, 2019](#)). The term Muslim friendly tourism is used as a synonym for Muslim friendly tourism which describes the form of facilities (extended services) to attract Muslim tourists, both domestic and foreign ([Kementerian Pariwisata dan Ekonomi Kreatif, 2022](#)). Muslim-friendly tourism is part of the tourism industry that provides services concerning Sharia rules. The segmentation of Muslim-friendly tourism is intended for Muslim tourists but does not prevent the utilization of non-Muslim tourists.

Regarding visitor needs, one of the most significant factors is accommodation. There is a demand for feasible Sharia-based housing that can provide comfort when traveling while keeping to Sharia-based norms and principles ([Antoni, 2021](#)). The definition of accommodation referred to here refers to hotels or inns. According to Bank Indonesia's Sharia Economic and Financial Report 2021 ([Bank Indonesia, 2021](#)) halal food and halal restaurants are the top products of the halal industry, which is closely related to hotels. Islam has commanded its people regarding what is permitted and prohibited for consumption ([Rachmawati & Suryani, 2019](#)).

Based on the guidelines of Muslims, the Qur'an, it has been explained that Muslims are obliged to use everything that is definitely halal ([Agus, 2017](#)). This is based on the words of Allah SWT in Surah Al-Maidah verse 88, which means, "*And eat halal food again good*

*from what Allah has provided for you, and fear Allah that you believe in Him."* ([Tafsirq.com, 2022](#)). This is the background of the fact that in January 1989, the Institute of Food, Drugs, and Cosmetics (LPPOM MUI) was present to certify the halalness of products in circulation, including food, drugs and cosmetics.

Some existing regulations have indeed addressed on Halal Product Guarantee (JPH), but not in depth and specifically. Based on the proposal of the DPR which has compiled the Academic Paper of the JPH Draft Law since early 2006, after eight years of discussion, in 2014 Law No. 33 of 2014 concerning Halal Product Guarantee (JPH Law) was issued. The presence of this law is a hope for the guarantee of the halalness of a product, especially for Muslim consumers ([Nasar, 2017](#)). In accordance with the mandate of Article 6 of the JPH Law, the Halal Product Guarantee Agency (BPJPH) as an agency born under the protection of the Ministry of Religion, is authorized to issue and revoke halal certification and halal labels on products. Meanwhile, in Article 10 of the JPH Law, MUI is authorized to provide a fatwa on product halalness.

Along with the rapid growth of the global halal industry, it encourages the Government to move quickly and adapt to the phenomenon of the need and demand for halal products in the market. One of the steps the government chose is to make changes related to the halal certification mechanism through Law No. 11 of 2020 concerning Job Creation (Job Creation Law). The Job Creation Law as a legal product known as a broomstick rule or omnibus law, also regulates the provisions of halal regulations. Siti Aminah as the Head of the Center for Guidance and Supervision of Halal Product Guarantee BPJH of the Ministry of Religion ([Rizki, 2021](#)) stated that:

"The emergence of the Job Creation Law has changed several provisions previously included in the JPH Law and its derivative regulation, Government Regulation No. 31 of 2019 concerning the Implementation of JPH (PP JPH). The changes in the Job Creation Law related to the halal sector aim to accelerate and expand halal certification services."

Given Indonesia's great potential for the halal industry, especially Muslim-friendly tourism, halal certification instruments are needed in several units, such as restaurants in Islamic hotels. With the latest changes made in the halal certification process through the Job Creation Law, a study is needed that discusses the reform of the halal certification mechanism related to Islamic hotels in the development of Muslim-friendly tourism in Indonesia after the Job Creation Law.

Based on this, the main problem that becomes the focus of discussion in this research is how the mechanism for applying for halal certification for Islamic hotels in the development of Muslim tourism in Indonesia after the Job Creation Law. The purpose to be achieved through this research is to know and understand the new mechanism built by the Job Creation Law on Muslim-friendly tourism in terms of applying for halal certification for Islamic hotels.

## II. METHOD

This research applies normative juridical research methods, namely legal research methods carried out by examining library materials or secondary data (Soekanto & Mahmudji, 2003). Normative juridical legal research is also known as doctrinal legal research. Law is interpreted as a normative science. This means that basic norms and standards of human behavior can be placed in certain situations and enforced by state sanctions (Tan, 2021). Legal research using this method will examine positive law's internal aspects. Researchers, in this case, are trying to collect and analyze data sources which are secondary data in the form of literature materials related to the halal certification mechanism at Islamic hotels in developing halal tourism after the Job Creation Law.

## III. RESULT AND DISCUSSION

### 3.1. Definition and Legal Basis for Halal Certification

Business actors who provide essential products or services must be responsible for the products they sell, both in terms of health and halal. Consumers as users of products or services, have the right to obtain precise information about the composition of the products offered by the company before consuming them. Knowing the halalness of a product requires interdisciplinary knowledge and research in food and beverage, pharmacy, chemistry, biology, biochemistry, and industrial engineering, as well as an understanding of sharia. Global trade and economic practices require international standards and quality. This is inseparable from the importance of halal standard products to gain consumer confidence in both domestic and foreign markets. The state carries such regulation in practice effectively through regulation, which is realized in the form of provisions regarding halal certification.

Halal certification is the process of obtaining a halal certificate, where several steps are taken to prove the suitability of the ingredients and production process with the standards set by the Halal Product Guarantee Agency (BPJPH). Prior to the presence of Law No. 33 of 2014 concerning Halal Product Guarantee (hereinafter referred to as the JPH Law), halal certification was carried out voluntarily. However, with the enactment of the JPH Law, it became mandatory (mandatory) (Samsuri, 2020).

Halal certification can provide opportunities for better economic development. Because halal certification can invite loyal consumers who are not only Muslim consumers but also non-Muslim consumers. Products that have received certification can also be proven safe for consumption because they have gone through the stages of examination and/or testing aspects of halalness, health, and safety for consumption. The existence of halal certification also provides inner peace to the community, especially Muslims, and peace for business actors because they have met the standards that make their products suitable for consumption.

There is a difference between halal certification and halal certificate. Halal certification is a series of processes that must be passed by entrepreneurs (producers), individuals, and legal and non-legal entities to obtain a halal certificate. Meanwhile, a halal certificate according to Article 1 number 10 of the JPH Law, namely recognition of the halalness of a product determined by BPJPH based on a written fatwa by the Indonesian Ulema Council (MUI). The existence of the JPH Law impacts adjustments related to halal certification, one of which is in terms of BPJPH taking over the central role of LPPOM MUI in halal certification procedures. Regarding Halal certification services, BPJPH continues to collaborate with MUI. BPJPH plays a role in serving producers who apply for halal certificates and issuing halal certificates. LPPOM MUI participates in the supervision and assessment of product halalness (Samsuri, 2020).

Halal certification has a long history in Indonesia. Before halal certification was issued by the Indonesian Ulema Council in 1989, the Ministry of Health issued halal labels on national food products. Through the Decree of the Minister of Health of the Republic of Indonesia No. 280/Men.Kes/Per/XI/76 concerning Provisions for the Distribution and Marking of Foods Containing Ingredients Derived from Pigs. This provision requires food manufacturers that utilize pigs and their derivatives in their production to include a sign or identity on the packaging containing pigs. The warning in the form of a sign or identity as stipulated in the provision must be red and placed in a red square box and must contain two elements, namely a picture of a pig and the words "MENGANDUNG BABI".

On August 12, 1985, the Government issued a Joint Decree of the Minister of Health and the Minister of Religious Affairs No.42/Men.Kes/SKB/VIII/1985 and No. 68 of 1985 concerning the Inclusion of Halal Writing on Food Labels (Faridah, 2019). This regulation marks a change from the label that initially read "MENGANDUNG BABI" to a label that reads "HALAL". This label can be included if it has gone through the procedure of reporting the producer's composition and management of production to the Ministry of Health.

After three years passed, precisely in 1988, the public was shocked by the news of the circulation of food containing pork. This incident raised public and government awareness of the urgency of halal certification. As an effort to eliminate public concerns, the Indonesian Ulema Council's Food, Drug, and Cosmetic Assessment Institute (LPPOM MUI) was born. LPPOM MUI was formed based on MUI Decree Number Kep./18/MUI/I/1989 on January 6, 1989. The main task of this institution is to inspect products in circulation and carry out halal certification.

Halal certification arrangements are alluded to in Law No. 7 of 1996, amended to Law No. 18 of 2012 concerning Food. This law regulates and provides formulations related to food halalness for food safety by ensuring product halalness (Triyanto, 2017). The provisions of the law are further detailed in Government Regulation No. 69/1999 on Food Labeling and Advertisement.

The above regulations have indeed regulated halal product guarantees. However, these provisions must be more specific to regulate halal product guarantees comprehensively. Quite a historic change regarding halal certification in Indonesia occurred in 2014 with the passing of Law No. 33 of 2014 concerning Halal Product Guarantee (JPH Law). One of the highlights of this law is a new institution with functions similar to the LPPOM MUI, namely the Halal Product Guarantee Organizing Agency (BPJPH) (Triyanto, 2017). Article 1 point 6 of the JPH Law, states that BPJPH is an agency formed by the government to implement halal product guarantees. Based on this understanding, BPJPH, as a new institution formulated by the government, is different from the previous institution, namely LPPOM MUI. The authority of BPJPH is regulated in Article 6 of the JPH Law, namely:

- a. Formulating and establishing JPH policy;
- b. Establishing JPH norms, standards, procedures, and criteria;
- c. Issuing and revoking halal certification and halal labeling on products;
- d. Registering halal certificates on foreign products;
- e. Conducting socialization, education, and publication of halal products;
- f. Conducting accreditation of halal inspection institutions (LPH);
- g. Conducting halal auditor registration;
- h. Supervising halal product assurance;
- i. Conducting guidance for halal auditors; and
- j. They are cooperating with domestic and foreign institutions in halal product assurance.

After the enactment of the JPH Law in 2014, a new era of halal implementation in Indonesia was born with the presence of Law No. 11 of the Year on Job Creation (Job Creation Law). This law manifests the regulatory reform efforts launched by President Joko Widodo, because many regulations hinder the economy and investment (Putra, 2020). The Job Creation Law embodies the Omnibus Law, which comes from two Latin words. Omnibus means "for everything" and Law means law (Yakub, 2021). Omnibus law is an innovation in simplifying existing regulations in Indonesia by making the diversity of laws into just one law (Hayu Prabowo, 2022).

### **3.2. Characteristics of Shariah Hotels**

Sharia hotels are one form of Sharia business in Indonesia. In organizing a sharia business, there are fundamental principles that must be met by Muslim business actors, namely understanding halal and haram businesses so that the products sold must be guaranteed halal (Alfaqih, 2017). This means that it can be seen that Islamic hotels have a relationship with halal certification.

Based on the Fatwa of the National Sharia Council - Indonesian Ulema Council (DSN-MUI) No. 108/DSN-MUI/X/2016 concerning Guidelines for the Implementation of Tourism Based on Sharia Principles, what is meant by Islamic hotels is the provision of accommodation in the form of rooms in a building that can be equipped with eating and

drinking services, entertainment activities and/or other facilities daily to make a profit which is carried out according to sharia principles.

Another definition is given by M. Rayhan Janitra ([Janitra, 2017](#)), which states that Sharia hotels are hotels that provide accommodation, food and beverage services, and other services to the public, are commercially managed and meet government, industry, and Sharia regulatory requirements. The presence of Islamic hotels ensures that accommodation is safe from negativity and friendly in a religious atmosphere.

Based on the above definition, a Sharia hotel provides commercially managed accommodation through lodging services, food and beverages, entertainment activities, and/or other facilities that are run per Sharia principles.

In Indonesia, there have been regulations specifically regulating Sharia hotels, namely the Regulation of the Minister of Tourism and Creative Economy No. 2 of 2014 concerning Guidelines for the Implementation of Islamic Hotel Business. The regulation is intended to provide guidelines and standardization for implementing Islamic hotels. However, the regulation was revoked by Ministerial Regulation No. 11 of 2016 because it was considered less relevant to the current development of tourism. Therefore, the implementation of Islamic hotels is only guided by Fatwa DSN-MUI No. 108/DSN-MUI/X/2016.

The fundamental thing that shows the difference in characteristics between Sharia and conventional hotels is the application of Sharia principles in organizing hotel operations. Islamic hotels as Sharia business entities must pay attention to Sharia aspects as a manifestation of implementing Sharia principles and accountability to their consumers. The Sharia aspects that hotels must fulfill are regulated in DSN-MUI Fatwa No. 108/DSN-MUI/X/2016 as follows:

- a. Sharia hotels must not provide access to pornography and immoral acts;
- b. Sharia hotels must not provide entertainment facilities that lead to polytheism, immorality, pornography and/or immoral acts;
- c. Food and beverages provided by Islamic hotels must have obtained a halal certificate from MUI;
- d. Provide adequate facilities, equipment, and facilities for the implementation of worship, including purification facilities;
- e. Hotel managers and employees/employees must wear clothes that are in accordance with Sharia;
- f. Sharia hotels must have guidelines and/or guidelines regarding hotel service procedures to ensure the implementation of hotel services in accordance with Sharia principles;
- g. Sharia hotels are required to use the services of Sharia Financial Institutions in performing services.

The provisions provided by the National Sharia Council through the fatwa, which need to be concerned, are the obligation for Islamic hotel businesses to have halal certificates in providing food and beverage services offered to consumers. The Indonesian Ulama

Council ([Majelis Ulama Indonesia, 2022](#)) classifies restaurants to be required to carry out halal certification, so it can be interpreted that Islamic hotels that offer restaurant facilities must comply with these provisions.

Since the regulatory reform carried out by the Job Creation Law, the provisions of halal certification are expected to touch various business fields, including Islamic hotels. The halal certification procedure based on LPPOM MUI ([MUI, 2022](#)) starts from the preparation stage for halal certification, namely: 1) Understand halal certification requirements and attend Halal Assurance System training; 2) Implement the Halal Assurance System; and 3) Prepare halal certification documents, such as business actor data, name and type of product to be certified halal, list of products and materials used, product processing, and halal assurance system documents.

Furthermore, the mechanism or flow of halal certification services as determined by BPJPH ([BPJPH, 2022](#)) is as follows:

- a. Registering for halal certification;
- b. BPJPH examines halal certification application documents;
- c. LPH examines and/or tests the halalness of the product;
- d. MUI determines the halalness of the product through the Halal Fatwa Session; and
- e. BPJPH issues a halal certificate

Based on the explanation above, Islamic hotels, as one of the Islamic business actors, are obliged to obtain halal certificates by taking the halal certification mechanism as stipulated by the provisions of the Halal Product Guarantee. This is done to guarantee the rights of Muslim consumers who are obliged to consume halal services or products even in the context of entertainment and tourism.

### **3.3. Dynamics of Muslim-Friendly Tourism Development**

Technology in communication and information has become a necessity that has economic value, and its existence cannot be avoided ([Iflah, 2019](#)). The rapid development of communication and information technology has also made it easier for people to travel and encouraged the promotion of the tourism sector ([Zaei & Zaei, 2013](#)). The tourism sector actors can market services in the form of services and facilities, including the Muslim-friendly tourism sector.

Based on data published in Bank Indonesia's Sharia Economic and Financial Report for 2021, the halal tourism sector grew positively by 22.62%. It became the sector that experienced the highest increase compared to other sectors ([Bank Indonesia, 2021](#)). This data shows that the trend of Muslim-friendly tourism is increasingly recognized and is in great demand, along with increasing knowledge and information about the growth of the halal industry ([Abdul Rahman, Rozalin; Rezai, G.; Mohammed, 2013](#)).

The concept of halal tourism, according to Battour and Ismail ([Battour & Ismail, 2016](#)), is an activity in tourism that is permitted or allowed according to Islamic teachings. This concept is adopted by several countries, such as Australia, Japan, South Korea, and



Thailand, using the term Muslim Friendly Tourism. Quoted from the official website of the Ministry of Tourism and Creative Economy of the Republic of Indonesia ([Kementerian Pariwisata dan Ekonomi Kreatif, 2022](#)), Muslim Friendly Tourism is an expanded service to attract domestic and overseas Muslim tourists.

Based on the results of discussions between the Indonesian Ulama Council and the Indonesian Ministry of Tourism and Creative Economy, the Islamic Tourism Center Malaysia, and other tourism experts, the use of the term 'Muslim Friendly Tourism' is considered more suitable than the term 'Halal Tourism' ([Hayu Prabowo, 2022](#)). Muslim friendly tourism emphasizes healthy, safe, clean and comfortable tourist destinations, and provides easy worship facilities, sharia-based hotels and inns, halal-certified culinary and family-friendly. Therefore, the use of the term Muslim-friendly tourism is considered more suitable in accordance with global trends and with the Millennial Generation's target consumers. The main segment that can encourage and develop the potential of Muslim-friendly tourism is the Millennial Generation (Generation M).

Generation M is a generation whose population is large and at productive age, making this generation exposed to technology and information ([Susilawati, 2019](#)). Thus, Generation M can act as a "powering influencer," a generation that understands the use of the internet and has the skills to utilize it. This ability is used to share interesting and creative travel experiences that can influence people to come and enjoy tourism services. This can make Indonesia's Muslim-friendly tourism increasingly known and recognized domestically and internationally.

### 3.4. Halal Certification Mechanism and The Relevance to Muslim-Friendly Tourism

#### 3.4.1 Halal Certification Mechanism Before Job Creation Law

With the issuance of the JPH Law, the existence of BPJPH replaces LPPOM MUI in terms of halal certification. Refers to the role of LPPOM MUI, they have a strategic role in the halal certification process, namely as a partner related to the halal auditor certification process, accreditation of Halal Guarantee Institutions (LPH), and determination of product halalness in the form of the fatwa. The halal certification mechanism in the era of the enactment of the JPH Law presented in Table 1.

**Table 1.** *Halal Certification Mechanism according to JPH Law* ([Kamsari, 2019](#))

No	Stages of Halal Certification	Description
1	Application	Business actors apply for halal certification in writing to BPJPH
2	Document Check/Verification	BPJPH checks the application documents (maximum 10 working days). The applicant completes the lack of documents (maximum 5 working days).
3	Assignment	BPJPH assigns LPH within a maximum period of 5 working days.
4	Examination	LPH conducts examination and/or product testing within a maximum of 40 working days

No	Stages of Halal Certification	Description
		(with an additional 20 working days if not completed) - for domestic products.
5	Review	BPJPH receives and verifies the LPH test results within 5 working days.
6	Fatwa	BPJPH sends the results of the examination and/or halal product test to MUI to obtain a determination of product halalness through a Fatwa session. The fatwa session includes experts, parts of ministries/agencies and/or related institutions. The most extended halal fatwa session decides the halal status of a product within 30 working days after receiving the results of the BPJPH examination and/or testing.
7	Issuance	BPJPH issues halal certification based on determining product halalness by MUI within a maximum period of 7 working days.

The enactment of the JPH Law changed the halal certification arrangements from facultative to imperative for business actors (Aminuddin, 2016). Before the enactment of the JPH Law, the prominent role of halal certification was with LPPOM MUI. MUI in this case also supervises products circulating in the community, but MUI cannot impose sanctions on business actors. Therefore, the JPH Law establishes a new halal certification mechanism to create legal certainty for production goods so that their halalness is guaranteed to circulate in Indonesia.

There is an effort by the government to continue to involve MUI in the halal certification process, even though the most significant authority lies with BPJPH. The presence of LPH also colored the mechanism in the JPH Law. LPH is tasked with inspecting and/or testing products the community established. Where previously, the entire series of halal certification processes was completed at LPPOM MUI, the halal certification mechanism in the JPH Law involved more subjects in the process. This shows that the halalness of a product is a shared responsibility between the government and the community.

### 3.4.2 Halal Certification Mechanism After Job Creation Law

In order to encourage national economic growth and create a competitive investment climate, the JPH Law is included in the scope of laws included in the Omnibus Law scheme, namely the Job Creation Law. Thus, the halal certification mechanism has also undergone adjustments. The renewal of the halal certification mechanism after the Job Creation Law is presented in Table 2.

**Table 2.** *Halal Certification Mechanism according to Job Creation Law (BPJPH, 2022)*

No	Stages of Halal Certification	Description
1	Application	Business actors apply for halal certification to BPJPH. (There is an elimination of the word "in writing" used in the JPH Law).
2	Document Check/Verification	BPJPH will conduct an examination/verification of documents related to the application for halal

No	Stages of Halal Certification	Description
		certification within a maximum of 1 working day.
3	Assignment	Based on the application of the business actor, BPJPH assigns the LPH to conduct an examination and/or testing of the halalness of the product. LPH assignments is made within a maximum of 1 working day.
4	Examination	Examination and/or testing at LPH is carried out within a maximum period of 15 working days. If additional time is needed, LPH can apply for an extension to BPJPH.
5	Review	The results of the examination and/or checking carried out by LPH are submitted to MUI with a copy sent to BPJPH to determine product halalness.
6	Fatwa	Determination of product halalness is carried out through the Halal Fatwa Session. The decision on the product halal fatwa hearing is made by 3 working days after MUI receives the results of the examination and/or testing from LPH.
7	Issuance	BPJPH issues halal certification within a maximum period of 1 working day from the product halal fatwa.

Based on the description of the table above, the most notable change is in time efficiency in the entire series of halal certification processes. However, changes in the halal certification mechanism after the Job Creation Law are not only a matter of accelerating time but also the exemption of halal certification fees for Micro and Small Enterprises (MSEs), as well as the presence of a new system offered in relation to halal certification, namely Self Declare. The Job Creation Law, which requires MSE actors to be halal certified, inserts the provisions of Article 4A which is the legal basis for implementing Self Declare. This provision regulates that MSE actors are allowed to declare the halalness of their products by referring to the halal standards set by BPJPH. Regarding the details of the regulation regarding self-declaration on MSE actors, there is Article 79 paragraph (2) of Government Regulation No. 39 of 2021 concerning the Implementation of the Halal Product Guarantee Field, which states that MSE actors who are required to be halal certified meet the criteria: 1) It is not a risky product or uses ingredients that have been guaranteed halal; and 2) Production procedures have been guaranteed halal and are simple.

Self-declare carried out by MSE actors must be based on halal standards set by BPJPH. The halal standards referred to include at least (Dewi & Istianah, 2022):

- 1) *Akad* or promise in the form of a statement by the entrepreneur explaining the halalness of the products and materials used. The existence of a Halal Product Process (PPH) is also required, namely verification of information provided by business actors; production process; slaughter (if the main ingredient of the

product is animal meat); laboratory; and technical packaging, storage, distribution, and presentation.

- 2) PPH assistance. PPH assistance is carried out by Islamic Community Organizations (CSOs) or Islamic financial institutions incorporated and/or universities. The function of the PPH assistant is as a guarantor or witness to the halal product statement of MSE actors.

From the explanation above, the presence of the Job Creation Law which aims to simplify and expand halal certification services is realized through simplifying the process accompanied by fee exemptions for MSE actors. This is done without eliminating the essence of the halal certification process, namely guaranteeing consumer rights to obtain products in the form of halal goods and/or services.

### 3.4.3 Relevance of Halal Certification and Muslim-Friendly Tourism

The concept of Muslim Friendly Tourism focuses on additional services to increase tourist satisfaction in obtaining, consuming, and using halal products in the form of goods or services while traveling. Explained by Aqil Irham as the Head of BPJPH ([Kementerian Agama, 2022](#)), the halal aspect is not related to Islamizing tourist destinations but emphasizing the service side based on the availability of halal products. The realization of this concept will make it easier for Muslim and non-Muslim tourists to obtain food, beverage, or other needs that are guaranteed halal.

Halal products have become a close unity for Muslims, so the provisions strongly influence Muslim consumer behavior in Islam. Islam views the concept of *Maqashid al Sharia* as an integral part of its teachings. Implementing this concept seeks to realize benefits, goodness for humans and avoid badness. The steps taken are through halal certification regulations.

Halal certification of products and services in Muslim-friendly tourism has an essential role as an assurance of a sense of security and comfort to tourists. Halal certification of products and/or services provided to consumers (tourists) is expected to increase consumer satisfaction. In addition, it can be an attraction that encourages the development of Muslim-friendly tourism in Indonesia.

## IV. CONCLUSION

Sharia hotels are one form of Sharia business that accommodates consumer needs related to providing accommodation services, food and beverages, and other general services based on Sharia principles. Therefore, Islamic hotels require halal certification to guarantee the services offered to consumers. The existence of the JPH Law, which has initiated the legal basis for halal certification, has not accommodated the needs in the field for halal certification services. The Job Creation Law brings reforms related to the halal certification mechanism by creating efficiency in the halal certification process time to 21 working days, exemption from halal certification fees for MSE actors, and a self-declare system.

The reform of the halal certification mechanism brought by the Job Creation Law is expected to increase the growth of the Islamic economic and business sector, especially the Muslim-friendly tourism sector. This encourages business actors, including sharia hotels, to increase consumer confidence and grow purchasing power. Thus, Indonesia's Muslim-friendly tourism is more recognized globally and will strengthen its contribution to the national economy.

## Authors' Declaration

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