

ABSTRACT

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DEPOSITOR IN THE POSITION OF PRIORITY PAYMENT AND THE RESPONSIBILITIES OF LIQUIDATION OF BANK

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Bank as a financial intermediary will create a bond with depositor. However, the liquidated bank make people concern about the existence of deposit will return or lost. That is why we need protection for depositor because there is a possibility where the fund suffered a bad condition and the bank will be liquidate. This research will analyze depositor position of priority payment and the responsibility from shareholders and bank managers of the liquidated bank. Method used in this research is normative legal research methods, and the objects of this research are norms of the law itself. The purpose of this method is to test the quality of the substance of the law norms, whether written or unwritten, use the guarantee that the legal norms still capability with the values of justice, legal certainty, and expediency. The results of this research, depositor will be the custodian of funds lenders compete where the customer deposits funds do not have the privilege or right to advance or be sure to have priority in payment or closing of a number of funds they deposit in the related liquidated bank. Associated with responsibility from shareholders and bank managers, it can be charged when they cause of bank failures conduct its activities and the bank should liquidate. However, they can be free from liability when they can prove they were performing their duties and responsibilities within the confines of existing and permissibility, and free from omissions and errors in the financial involvement of the bank.

References: 28 (1992-2010)