ABSTRACT

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RESPONSIBILITY OF BANKS AS A MUTUAL FUND SECURITIES SELLING AGENT ACCORDING TO THE TERMS OF APPLICABLE LAW

(xiv + 115 pages)

Banks activities are now expanding, not only serve the activities of savings and giving loans but the Bank also conduct activity in the service of trade transaction of capital market instrument, such as the Mutual Fund. Activities of the Bank as the Sales Agent of Mutual Fund (APERD) allowed under the provision of the Law No.7 of 1992 regarding Banking as amended by Law No. 10 of 1998 and governed its implementation of Circular Letter of Financial Services Authority No. 4/SEOJK.03/2017 regarding the Application of Risk Management of the Bank which Conduct Activities Related to Investment Fund and Regulation of Financial Services Authority No. 39 of 2014 regarding the Sales Agent of Investment Fund. Therefore, the study was conducted to explore, discover, and analyze how the regulations for enforcement banks activities as the Sales Agent of Investment Fund according to the applicable law. By using the normative judicial method, the authors analyze the regulation for enforcement banks activities as the Sales Agent of Mutual Fund and responsibility of banks as the Sales Agent of Mutual Fund according to the applicable law. The results show that some matters are not covered by the provisions in applicable law such as when bank violated its legal obligation by causing damages to the Customer.

Keyword: mutual fund, bank, sales agent