

## Bibliography

### Books

Mak, C. *Introduction to Dutch Law* (The Netherlands: Kluwer Law International, 2019).

van der Velden, M “*Legal forms of business enterprises in the Netherlands*”. Kluwer Law International.2020

Wirawan Adnan, "*Legal Certainty and the Rule of Law in Indonesia: A Study of the Constitutional Court's Decisions, 2003-2010,*" *Asian Journal of Comparative Law* (2013).

Ahmad Yani and Gunawan Widjaja. “*Seri Hukum Bisnis Kepailitan*” (Jakarta: Rajawali Press, 1999).

Mr. dr. J.M. Hummelen en mr. M.S. Breeman, “De parlementaire geschiedenis van de Faillissementswet 1896-2017: trends en ontwikkelingen”, *Praktijk, TvI* 2018/37

Subekti, R. *Introduction to Indonesian Law* (5th ed.). PT Citra Aditya Bakti. 2016

Subekti. “Pokok-pokok hukum perdata / Subekt”i. Jakarta :: Intermasa,, 2005 page 19 -21

Martiman Prodjohamidjojo, “*Proses Kepailitan: Menurut Peraturan Pemerintah Pengganti Undang-undang Nomor 1 Tahun 1998 Tentang Perubahan*

*Atas Undang-undang Tentang Kepailitan*”, Mandar Maju, Bandung, 1999, h. 17

Sastrawidjaja, H. “*Hukum Kepailitan Dan PKPU*” (2nd ed.), 1998

### **Journal**

Sinaga, N. A., & Sulisrudatin, N. "Hukum Kepailitan dan Permasalahannya di Indonesia," *Jurnal Hukum Dirgantara*, 1(2), 91-105, 2017

Devi Andani and Wiwin Budi Pratiwi, "Simple Proof Principle in the Application for Postponement of Debt Payment Obligation," *Iustum* 28, no. 2, hal189-205, 2018

Raden Rizki Agung Firmansyah and I Dewa Nyoman Sekar, " Pengaturan dan penerapan prinsip paritas creditorium dalam hukum kepailitan di Indonesia," *Kertha Semaya: Journal Ilmu Hukum*, <https://ojs.unud.ac.id/index.php/kerthasemaya/article/view/10555>. July 2014

Yuliani, E., & Lestari, Y. Perlindungan hukum terhadap kreditur atas keadaan insolvensi debitur. *Yurijaya: Jurnal Ilmiah Hukum*, 7(3), 287-295. <https://doi.org/10.31227/osf.io/hmpb3>, 2022.

Kurniawan, Y., & Kurniawan, T. Analisis Yuridis Asas Pari Passu Pro Rata Parte Dalam Penyelesaian Kepailitan. *Adigama: Jurnal Hukum*, 2(1), 99-110. <https://doi.org/10.24912/jah.v2i1.8892>, 2021

- Sutan Remy Sjahdeini, 1938-. “Sejarah, asas, dan teori hukum kepailitan : memahami undang-undang no. 37 tahun 2004 tentang kepailitan dan penundaan kewajiban pembayaran” Jakarta , Kencana, hal 121, 2016
- Wijayanta, T. (2016). Kajian Tentang Pengaturan Syarat Kepailitan Menurut Undang-Undang Nomor 37 Tahun 2004. *Jurnal Mohara*, 5(1), 66-81.  
<https://doi.org/10.22146/jmh.16063>
- Denny Kailimang, Benny Ponto. *Penyelesaian utang-piutang : melalui pailit atau penundaan kewajiban pembayaran utang / editor Rudhy A. Lontoh*, - Bandung: Alumni. hal 105, 2016
- Kale, G. I., & Dharmakusuma, A.A.G.A. (2011). “*Syarat Kepailitan Sebagai Bentuk Perlindungan Hukum Debitur Dalam Undang-Undang Nomor 37 Tahun 2004*”. *Jurnal Hukum Dan Peradilan*, 1(3), 322-336.  
<https://doi.org/10.25216/jhp.1.3.2011.322-336>

### **Research Papers**

- European Union. (2015). Regulation (EU) 2015/848 of the European Parliament and of the Council of 20 May 2015 on insolvency proceedings. *Official Journal of the European Union*, L 141/19-76.

### **Laws and Regulations**

- Constitution of the Republic of Indonesia. (1945). Article 28A.
- Law Number 13 Year 2003. (2003). concerning manpower.

Law Number 13 Year 2003. (2003). concerning Manpower. Article 77, Part 2.

Omnibus Law. (2023). Law Number 06 Year 2023 concerning Job Creation.

Law No. 37 of 2004 about Bankruptcy and Deferment of Debt Payment Obligations,  
art. 2. (2004). Indonesia.

Law No. 37 of 2004 about Bankruptcy and Deferment of Debt Payment Obligations,  
art. 2, Sub 1. (2004). Indonesia.

Law No. 10 of 1998 about Banking Law. (1998). Indonesia.

Law No. 37 of 2004 about Bankruptcy and Restructuring of debt, art. 1. (2004).  
Indonesia.

Indonesian Civil Code (1948). Article 1139 -1149

Dutch Bankruptcy Act, 1893 (Faillissementswet).

Undang-Undang Republik Indonesia Nomor 12 Tahun 2011 Tentang Pembentukan  
Peraturan Perundang-Undangan. Lembaran Negara Republik  
Indonesia Tahun 2011 Nomor 92.

Law Number 10 of 2004 concerning the Formation of Legislation

Law Number 24 of 2011 concerning the Constitutional Court of the Republic of  
Indonesia

Dewan Perwakilan Rakyat Republik Indonesia, “071/PUU-II/2004”,  
[https://www.dpr.go.id/jdih/perkara/id/38/id\\_perkara/80](https://www.dpr.go.id/jdih/perkara/id/38/id_perkara/80), accessed at  
3rd of august 2021

109/KMA/SK/IV/2020,<https://jdih.mahkamahagung.go.id/index.php/beranda/databa>  
se/func-  
download/8848/chk,4b8cfe0d36de1d857172670a555fc129/no\_html,1  
/, accessed at 3rd of august 2021

Website of the United Nations Commission on International Trade Law  
(UNCITRAL), "Bankruptcy (Insolvency)," <https://uncitral.un.org/en/texts/insolvency>, accessed on March 14  
2023

109/KMA/SK/IV/2020,<https://jdih.mahkamahagung.go.id/index.php/beranda/databa>  
se/func-  
download/8848/chk,4b8cfe0d36de1d857172670a555fc129/no\_html,1  
/, August 3 2021

Law no 37 year 2004 translated by Global Insolvency Law Database,  
<http://docshare01.docshare.tips/files/20872/208722263.pdf>, accessed  
at August 7 2021

SOP PTA 2022, tentang Standar operasional prosedur (SOP) penulisan tugas akhir  
mahasiswa program studi hukum Universitas Pelita Harapan.

### **Court Decisions**

Constitutional Court Decision No. 67/PUU-XI/2013. (2013). Indonesia

## Website

Ministry of Communication and Information Technology. (n.d.). Online Single Submission. Retrieved from <https://oss.go.id/>

Netherlands Ministry of Foreign Affairs. (2021). "Dutch Law." Government.nl. Retrieved on November 1, 2022, from <https://www.government.nl/topics/dutch-law>.

KlikLegal, "3 Poin Penting dalam SKMA Tentang Pedoman Penyelesaian Perkara Kepailitan dan PKPU," KlikLegal, <https://kliklegal.com/3-poin-penting-dalam-skma-tentang-pedoman-penyelesaian-perkara-kepailitan-dan-pkpu/> accessed March 4, 2023

"Bankruptcy Voluntary Bankruptcy Procedure, or Bankruptcy Lawsuit", <https://www.legalku.com/prosedur-kepailitan-secara-voluntary-bankruptcy-atau-gugat-pailit/#!>, August 3 2021

BPHN, "The Historoy of indonesian legal system" <http://bphn.go.id/data/documents/thehistoryofindonesianlaw.pdf>, accessed at December 25 2021

by Meray Hendrik Mezak, [https://www.academia.edu/7016094/Meruy\\_Jenis\\_Metode\\_dan\\_Pendekatan\\_Dalam\\_Penelitian\\_Hukum](https://www.academia.edu/7016094/Meruy_Jenis_Metode_dan_Pendekatan_Dalam_Penelitian_Hukum) , Accessed at 5th august 2021

Ministry of Finance, recognize the type of evidence in civil procedural law,  
<https://www.djkn.kemenkeu.go.id/kpknl-lahat/baca-artikel/15189/Mengenal-Jenis-Alat-Bukti-dalam-Hukum-Acara-Perdata.html>

### **Dictionary**

societas. (n.d.). In Merriam-Webster.com dictionary. Retrieved December 1, 2022,  
from <https://www.merriam-webster.com/dictionary/societas>

socius. (n.d.). In Oxford English Dictionary Online. Retrieved December 1, 2022,  
from <https://www.oed.com/view/Entry/179238>

Kamus besar Bahasa Indonesia, Online Dictionary. "Definition of Insolvent."  
Accessed on August 5th, 2021.

Kamus besar Bahasa Indonesia, Online Dictionary. "Definition of Bankrupt" from  
<http://kbbi.web.id/pailit> Retrieved August 5th, 2021

The Law Dictionary, "Insolvent". Accessed August 5, 2021.  
<http://thelawdictionary.org/insolvent/>.