

## ABSTRAK

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### **KEKUATAN PENCAIRAN SEPIHAK TERHADAP JAMINAN DEPOSITO MILIK NEGARA PADA KREDIT PERBANKAN BERUPA *CASH COLLATERAL CREDIT* DI BANK X**

(xiv + 54 halaman: 0 gambar; 0 tabel; 1 lampiran)

Penelitian ini membahas tentang kekuatan pencairan sepihak yang dilakukan terhadap objek jaminan milik negara. Banyak pergunjungan atau ketidakpastian terkait dengan status kekayaan negara dalam artian terdapat banyak aturan hukum yang masih saling bersinggungan ataupun tumpang tindih dalam mendefinisikan kekayaan negara itu sendiri. Adanya tumpang tindih peraturan hukum ini mengakibatkan berbagai multitafsir terhadap sejauh mana eksistensi dan definisi kekayaan negara tersebut dapat diterapkan, salah satunya adalah terkait dengan aset BUMN, apakah termasuk ke dalam kekayaan negara atau bukan merupakan kekayaan negara.

BUMN merupakan badan usaha milik negara yang tentunya beroperasi layaknya badan usaha pada umumnya, sehingga melakukan berbagai perbuatan hukum dan non-hukum selakayaknya badan usaha seperti PT, CV, dan sebagainya. Salah satu BUMN berbentuk Persero melakukan perbuatan hukum dengan mengikatkan diri dalam perjanjian kredit dengan bentuk *cash collateral credit* di Bank X, di mana diketahui performa BUMN tersebut mulai mengalami kemunduran dan tentunya berdampak terhadap finansial dari Persero BUMN itu sendiri, sehingga penelitian ini akan bertujuan memberikan sudut pandang apakah yang dapat dilakukan oleh Bank X apabila Persero BUMN tersebut mengalami gagal bayar berdasarkan peraturan-peraturan yang berlaku. Penelitian ini menggunakan tipe penelitian Yuridis-Normatif dimana pendekatan terhadap pengolahan bahan hukum dilakukan dengan cara studi pustaka. Pendekatan yuridis-normatif dalam penelitian digunakan untuk menganalisis kekuatan pencairan sepihak terhadap deposito milik negara (BUMN) pada perjanjian kredit dengan skema *cash collateral credit* di Bank X.

**Kata kunci : pencairan sepihak, BUMN, *cash collateral credit***

Referensi : 36 (1859-2023)

## **ABSTRACT**

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### ***THE POWER OF UNILATERAL EXECUTION OF STATE-OWNED DEPOSITO GUARANTEES ON BANKING CREDIT IN THE FORM OF CASH COLLATERAL CREDIT AT BANK X***

(xiv + 54 pages: 0 picture; 0 table; 1 attachment)

*This research discusses the power of unilateral execution carried out on state-owned collateral objects. There is a lot of gossip or uncertainty related to the status of state assets, in the sense that there are many legal rules that still intersect or overlap in defining state assets themselves. This overlapping of legal regulations has resulted in various interpretations regarding the extent to which the existence and definition of state assets can be applied, one of which is related to BUMN assets, whether they are included in state assets or not state assets.*

*BUMN is a state-owned business entity which of course operates like a business entity in general, so that it carries out various legal and non-legal actions like business entities such as PT, CV, and so on. One of the BUMNs in the form of Persero took legal action by entering into a credit agreement in the form of cash collateral credit at BCA Bank, where it was discovered that the performance of the BUMN was starting to decline and of course this had an impact on the finances of the BUMN Persero itself, so this research will aim to provide a perspective on what the Bank can do if the state-owned company experiences default based on the applicable regulations. This research is using 'normative-juridical' as research type where the approach to the processing of legal materials is carried out by means of a literature review. Normative-juridical's approach in this research used to analyze the power of unilateral execution of state-owned (BUMN) deposits in credit agreements with a cash collateral credit scheme at Bank X.*

**Keywords :** *unilateral execution, BUMN, cash collateral credit*

**References :** *36 (1859-2023)*