ABSTRACT

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LEGAL PROTECTION AGAINST CREDITORS UNDER THE PROVISIONS OF ACT 37 OF 2004 ON BANKRUPTCY AND SUSPENSION OF DEBT PAYMENTS

(xv + 81 pages + 2 attachments)

Business competition nowadays is very highly developed, therefore many businessman who wants to develop their business, yet they have constraints in terms of finances, then the businessman attempt to borrow money to another party to be able to develop their businesses. Entrepreneurs who are provided the loans called debtor, while the party providing the loan is called a creditor. Each creditor has legal protection and has the right to get back the money that has been loaned by the debtors. Creditors are the people who have accounts receivable due to the agreement or laws that can be billed in court. This thesis will discuss the legal protection for creditors under the provisions of Act 37 of 2004 on Bankruptcy and Suspension of Debt Payments and bankruptcy petition filed by creditors on a case by case No. 91 K / Pdt.Sus / 2013. Research on the issues will be discussed using qualitative analysis using the approach of legislation and case-based approach. Each creditor has legal protection that has been set out clearly in the Act 37 of 2004 on Bankruptcy and Suspension of Debt Payments. If the creditors feel aggrieved because debtors cannot pay off the loans, then the creditor can file a bankruptcy petition to the Court. And if the debtor is proven not be able to pay in full at least one debt due and collectable, thus the debtor may be declared bankrupt.

References: 20 (1999-2014)