

ABSTRACT

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THE VALIDITY OF BONDS THAT SIGNED BY UNAUTHORIZED PARTY

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Bonds is a deed which contains a unilateral debt recognition by the debtor, in which the debtor acknowledges that he or she has the obligation to pay the creditors a certain amount of money. Bonds is valid if it fulfills the legal requirements which one of them is signed by authorized party. Thus, bonds that represents a company is valid if it is signed by the director of the company. In this case, bonds that postulated by the applicant, Moh. Imron Rosyadi, is not signed by the director of PT. Total Design Interior Indonesia as the defendant. Therefore, the validity of the bonds become questionable. The purpose of this research is to analyze and find the right regulation to determine the validity of bonds that signed by unauthorized party using normative approach with descriptive analytical and qualitative data analysis method. The result of this research is the of bonds that signed by unauthorized party is not valid based on Article 1320 Code of Civil Law juncto. Article 1 verse 5 Law No. 37 of 2004 on Bankruptcy and Suspension of Obligation For Payment of Debts. The legal consequence is the bonds become void.

References: 51 (1983-2014)

Keywords: bonds, limited company, bankruptcy, commercial court