

## ABSTRACT

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**REVIEW OF JURIDIS *ACTIO PAULIANA* CASE STUDY DECISION OF THE SUPREME COURT OF REGULATION NUMBER 1 / PDT.SUS / *ACTIO PAULIANA* / 2016 JO. NO. 7 / PDT.SUS-PAILIT / 2015 / PN-MDN.**

(xii + 105 Pages: 1 table)

The decision of bankruptcy declaration to change the legal status of the Debtor becomes incompetent to perform legal acts. Therefore, the bankruptcy law authorizes the curator to administer and dispose of the bankrupt property in the form of a legal action by apply for cancellation to the court of any legal act of the debtor that harms the Creditors that made before the Debtor declared bankrupt by the Court or can be called *actio pauliana*. This study aims to analyze the provisions of the filing of a lawsuit *actio pauliana*, roles and responsibilities of the curator in the handling of property and judges consideration in Decision Number PDT.SUS / *ACTIO PAULIANA* / 2016 JO. NO. 7 / PDT.SUS-PAILIT / 2015 / PN-MDN. This research is conducted by normative juridical research method which is focused to study the application of norm and rule of law to legal acts. The approach used in this research is case approach and legislation approach. Based on the results of research on bankruptcy case CV. Agro Sawita Mandiri Perkasa, the team of Curator thought there was a violation committed by Muhammad Jacob as the Director of CV. Agro Sawita Mandiri Perkasa that harms the interest of creditors by transferring its assets to H.T. Mufrizal, Z in the form of deed of lease cooperation agreement and palm oil mill management before the decision of Bankruptcy, addendum of deed of cooperation agreement of lease and management of palm oil factory and sale and purchase agreement under the hand. Therefore team Curator appeal this violation for cancellation to commercial court Medan on the basis of lawsuit *actio pauliana*

Keywords : bankruptcy, curator, *actio pauliana*

Reference: 29 (1975-2014)