

ABSTRACT

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LEGAL ANALYSIS OF BANKRUPTCY PROPERTY SETTLEMENTS BY CURATOR IN A BANKRUPTCY CASE NUMBER 408 K/PDT.SUS-PAILIT/2015

(x + 67 pages: 2 attachments)

Consumers have many desires which impact directly towards their tastes. Thereby, many companies compete to manufacture products of high standards to be able to gain acceptance from society. However, not all company acquire income higher than their expenditure. Including insurance company. Insurance companies can be bankrupt according to law, but insurance companies have different procedures with the other companies. The formulation of this issues of this thesis are (1) to find out how judge's considerations in the district court with case number 4/Pdt-Sus-Pailit/2015/PN.NIAGA.Jkt.Pst Jo. Number 27/Pdt.Sus.PKPU/PN.Niaga.Jkt.Pst and judge's consideration in the cassation court number 408 K / Pdt.Sus-Pailit / 2015 concerning the bankruptcy filing of the Financial Services Authority towards Bumi Asih Jaya Insurance Company and (2) how to settle bankruptcy assets by curator appointed by the judge in accordance with the case number 408 K/Pdt.Sus.-Pailit / 2015. This research uses normative juridical. Data collection implements the technique of library studies and the research approach used are case and statute approaches. The result of this thesis are cassation's judges gives a legal decision and bankrupted Bumi Asih Jaya Insurance Company on June 18, 2016 because it has been proven that Bumi Asih Jaya Insurance Company in accordance with article 2 paragraph (1) of Law 37 of 2004 concerning bankruptcy and delay in debt obligations. The bankruptcy property that should have been handled by curator appointed by the judge didn't proceed smoothly because three of five curators didn't do their duties in accordance with the applicable regulations.

Keywords: bankruptcy, debtor, kreditor, curator

References: 46 (1960-2015)