

## ABSTRACT

Tasya Velini Cindya Lie (0105118005)

### **PROVIDING INDEMNITY IN CASES OF UNLAWFUL ACTS DUE TO TRAFFIC ACCIDENTS (Case Study The Decision Of The Downstream Districk Court Of Rokan Hilir Number: 1/Pdt.G.S/2020/PN Rhl)**

According to article 1365 of the Civil Code state that “Every act that violates the law, which brings harm to another person, obliges the person who because of his fault published the loss, to compensate for the loss” Next to article 1366 of the Civil Code also state that “Everyone is responsible not only for losses caused by his actions but also for losses caused by negligence or carelessness”. This thesis that entitled “Providing Indemnity In Cases Of Unlawful Acts Due To Traffic Accidents (Case Study The Decision Of The Downstream Districk Court Of Rokan Number: 1/Pdt.G.S/2020/PN Rhl )” intend to know whether or not a claim for compensation for a violation of the law in the field of traffic can be submitted by the injured party, and to find out the mechanism for a claim for the indemnity in a traffic accident that results in material loss.

The research method uses normative juridical which is research that carried out and submitted to various written laws and regulations and various literatures related to the problems in this research as well as decision studies number: 1/Pdt.G.S/2020/PN Rhl . In this research normative legal materials are used in accordance with the provisions of the applicable laws and regulations, which are stipulated in the provisions article 1365, article 1367 of Civil Code, article 236 section (1) Law Number 22 Year 2009 as well as the opinions of experts and legal library materials related to the subject matter of the thesis title.

This research shows that the provisions of the law of the indemnity as a result on unlawful acts based on the Civic Code can be submitted to the court if there is a basis for the lawsuit. Before filing a claim for the indemnity, the plaintiff must first prove the existence of an unlawful act that harms the defendant. The plaintiff's lawsuit against the defendant can be granted by the panel of judges if the unlawful act meets the elements as stipulated in article 1365 of Civil Code.

Keywords: Indemnity, Act against the law, Traffic accident